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Vol. VI — pp. 3093 to 3504

TRANSCRIPT OF RECORD

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1939

No. 346

THE UNITED STATES OF AMERICA, PETITIONER

vs.

SOCONY-VACUUM OIL COMPANY, INC., ET AL.

No. 347

SOCONY-VACUUM OIL COMPANY, INC., ET AL., PETITIONERS

vs.

THE UNITED STATES OF AMERICA

ON WRITS OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SEVENTH CIRCUIT

PETITIONS FOR CERTIORARI FILED AUGUST 31, 1939
CERTIORARI GRANTED OCTOBER 16, 1939

IN THE

United States Circuit Court of Appeals
For the Seventh Circuit

No. 6721

THE UNITED STATES OF AMERICA,
Plaintiff-Appellee,

vs.

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Defendants-Appellants.

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G 125	Letter, Dec. 20, 1935, L. H. Poland to E. F. Underwood	506 907	 2723
G 126	Letter, Dec. 21, 1935, J. F. Nagle to L. H. Poland	506 907	 2723
G 127	Letter, Dec. 23, 1935, W. T. Atkins to L. H. Poland	506 907	 2724
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G 189	Weekly price review, May 17, 1935, P. E. Lakin to A. Fraser, prepared by Harry Jacobs	830	2760
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G 631	Price provisions of jobber contract, April 13, 1935, between Socony-Vacuum Oil Company, Inc., Lubrite Division, and Wabash Oil Corporation, with rider, Aug. 11, 1936, attached	316	3064
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G 634	Price provisions of jobber contract beginning Aug. 15, 1934, between Continental Oil Company and General Oil Products Co., Inc.	321	3068
G 635	Price provisions of jobber contract, Aug. 22, 1935, between Continental Oil Co. and General Oil Products, Inc.	321	3069
G 636	Price provisions of jobber contract, Aug. 25, 1936, between Continental Oil Company and General Oil Products, Inc., with rider, Sept. 16, 1936, attached	321	3071
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G 664	Chart of prices (not reproduced—shown on Gov. Ex. 674 as Monday low quotations for third grade gasoline, Oklahoma market) (Referred to)	346	3081
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G 667	Tabulation—Monday low quotations, housebrand gasoline, Oklahoma market, March 4, 1935 to Dec. 21, 1936	347	3084
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G 687	Weekly Letter, May 3, 1935, W. P. Jacobi to A. G. Maguire	469 907	 3117
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G 689	Weekly Letter, May 18, 1935, W. P. Jacobi to A. G. Maguire	469 907	 3119
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G 779	Letter, Jan. 25, 1936, prepared by Clyde M. Boggs and sent to Omar Refining Company	901	3291
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G 781	Letter, March 4, 1936, prepared by Clyde M. Boggs and sent to Derby Oil Company	901	3291
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D 831	(For identification.) Order, Jan. 19, 1934, by Harold L. Ickes, approving National Petroleum Agency Agreement	955	3330
D 832	(For identification.) Letter, Dec. 8, 1933, Wirt Franklin to Harold L. Ickes, attaching copies of National Agency Agreement and National Marketing Agreement	955	3332
D 833	(For identification.) Press release by Department of Interior setting forth letter, March 29, 1933, from Committee of Fifteen to the Secretary of the Interior	969	970
D 834	(For identification.) Letter, Dec. 11, 1934, Harold L. Ickes to R. G. Cocanower	990	3345
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D 842	Tabulation showing voluntary refinery curtailment in March 1935 by companies in districts of each company	1035	3360
D 843	Chart of stocks of finished and unfinished gasoline in March 1935	1036	3365
D 844	(For identification.) Order, Nov. 2, 1934, by Harold L. Ickes, approving Program Committee plan of purchasing distress gasoline; form of contract attached	1055	3367
D 845	(For identification.) Order, June 23, 1934, by Harold L. Ickes, approving three-party plan of purchasing distress gasoline, with form of contract attached	1055	3372
D 846	(For identification.) Order, Sept. 8, 1934, by Harold L. Ickes, approving Program Committee plan of purchasing distress gasoline, with forms of purchase agreement attached	1055	3376

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D 848	(For identification.) Press release, April 6, 1934, issued by Department of Interior, setting forth proposed amendment to Article IV (refinery section) of Code	1056	3389
D 849	(For identification.) Composite price chart for October, November and December, 1934, of third grade gasoline	1059	3397
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D 852	Tabulation of crude oil required by Pure Oil Company to supply gasoline sales, Nov. 1934 to Dec. 1936	1133	3400
D 853	Tabulation of gasoline acquired by Pure Oil Company, by months, Jan. 1934 to Dec. 1936	1136	3401
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D 854	Tabulation of source of gasoline supply of Pure Oil Company, 1933-1937	1137	3405
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D 855	Tabulation comparing Pure Oil Company's gasoline days' supply by months with total for United States, Nov. 1934 to Dec. 1936	1138	3409

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D 857	Chart of tank car prices paid in 1935 by Pure Oil Company to independent refiners in East Texas, compared with Oilgram quotations	1140	3417
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D 864	Stipulation of testimony of Mason Lyons concerning Vickers Petroleum Company gasoline production and sales, 1934-1936, with figures attached	1146	3427
D 865	Tabulation of Root Petroleum Company gasoline production and sales, 1934-1936	1147	3429
D 866	Tabulation of Anderson-Prichard Refining Corporation gasoline production and sales, 1934-1936	1147	3430
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D 870	Block chart showing percentage of purchases by Mid-Continent Petroleum Corporation from independent refiners at and below low Oilgram quotations, Mar. 1 to May 31, 1935.	1553	3443
D 871	Block chart showing percentage of purchases by Mid-Continent Petroleum Corporation from independent refiners at and below low quotations, Chicago Journal of Commerce Group 3, Mar. 1 to May 31, 1935	1555	3447
D 872	Block chart showing percentage of cars purchased by Mid-Continent Petroleum Corporation from independent refiners above, at and below low quotations, Chicago Journal of Commerce Group 3, for 1935	1555	3451
D 873	Block chart showing percentage of cars purchased by Mid-Continent Petroleum Corporation from independent refiners above, at and below low Oilgram Oklahoma quotations for 1935.....	1555	3455

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D 875	Tabulation of number of flat price purchases by major oil companies from independent refiners, compared with price ranges for third grade gasoline, Oklahoma market, for April 1935	1560	3458
D 876	Tabulation of number of flat price purchases by major oil companies from independent refiners, compared with price ranges for third grade gasoline, Oklahoma market, for May 1935	1563	3459
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D 878	Chart indicating comparison of inventories, production, purchases and requirements of finished gasoline of Sinclair Refining Company, 1931 to 1936	1157	3463
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D 882	Tabulation of gasoline production and sales, Waggoner Refining Company, 1934-1936	1162	3468
D 883	Tabulation of flat price sales in 1935 and 1936 by Mid-Continent Petroleum Corporation to its consumers	1163	3470
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D 889	Chart of tank car prices paid in 1935 by Shell Petroleum Corporation to independent refiners, compared with Oklahoma quotations of journals	1590	3481
D 890	Chart of flat price sales by Deep Rock Oil Corporation in 1935 to jobbers and consumers, compared with Oklahoma quotations of journals	1590	3485
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G 891	Letter, July 20, 1934, Harold L. Ickes to C. E. Arnott	1174	3487
D 892	(For identification.). Memorandum, July 31, 1934, Louis Titus to C. E. Arnott	1173	3489
D 893	Telegram, Jan. 28, 1935, I. A. O'Shaughnessy to Charles Fahy	1182	3491

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D 894	Letter, Feb. 1, 1935, Charles Fahy to I. A. O'Shaughnessy	1182	3492
D 895	Stipulation of testimony of L. B. Simmons concerning Rock Island Refining Company gasoline production sales, 1934-1936, with monthly figures attached	1228	3493
D 896	Tabulation of Sunray Oil Company gasoline production and sales, 1934-1936	1229	3495
D 898	Tabulation of El Dorado Refining Company gasoline production and sales, 1934-1936	1230	3496
D 899	Article from Tulsa Daily World, May 28, 1935, quoting statement by Donald Richberg	1210	3497
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D 901	Article from Tulsa Tribune, May 31, 1935, quoting speech by President Roosevelt	1210	3503
D 903	Check and voucher, June 18, 1935, for $322.10, Planning and Coordination Committee to R. W. McDowell	1213	3505
G 904	Article from Chicago Journal of Commerce, June 8, 1935, concerning press conference of President Roosevelt	1217	3507
D 910	Tabulation of number and amount of subnormal tank wagon and service station housebrand gasoline prices, 1934-1936	1243	3509

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D 911	Tabulation of number and amount of subnormal tank wagon and service station third grade gasoline prices, 1934-1936	1243	3510
D 912	Tabulation of number and amount of subnormal prices to dealers for housebrand gasoline, 1935-1936	1243	3511
D 913	Tabulation of number and amount of subnormal prices to dealers for third grade gasoline, 1935-1936	1243	3511
D 914	(for identification) Excerpts from Final Report of Marketing Division, Petroleum Administrative Board, issued June 1936, concerning stabilization	1281	3512
D 915	(for identification) Letter, May 18, 1935, E. B. Swanson to W. J. Brundred	1287 1735 1841	3519
D 916	(for identification) Telegram, May 14, 1935, Charles Fahy to C. E. Arnott; and telegram, May 17, 1935, C. E. Arnott to Charles Fahy	1287 1735 1841	3520
D 917	(for identification) Excerpts from Annual Report of the Secretary of the Interior, June 30, 1935 (Reference to)	1290	3522
D 917-A	Letter of transmittal, Nov. 30, 1935, of Annual Report, Harold L. Ickes to President, and excerpts from Annual Report of Secretary of Interior, June 30, 1935	1679	3522

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 918	(for identification) Identical with Defendants' Exhibit 924 for identification (Report of Petroleum Code Survey Committee on Small Enterprises) (Reference to)	1320	3526
D 919	(for identification) Five identical letters, March 26, 1935, Harold L. Ickes to members of Petroleum Code Survey Committee on Small Enterprises	1321	3527
D 921	(for identification) Telegram, April 23, 1935, Charles Fahy to Paul C. Blazer	1321	3528
D 922	(for identification) Telegram, April 23, 1935, Paul G. Blazer to Charles Fahy	1322	3528
D 923	Press release, May 7, 1935, by Department of the Interior	1324	3529
D 924	(for identification) Press release, March 28, 1935, by Department of the Interior, concerning and attaching Report of Petroleum Code Survey Committee on Small Enterprises	1324	3530
D 925	Letter, May 9, 1935, W. J. Brundred to Charles Fahy	1355	3581
D 926	Tabulation of spot sales by Continental Oil Company to jobbers in Mid-Western area, 1935 and 1936	1369	3582
D 927	Stipulation of testimony of George Collins concerning Omar Refining Company gasoline production and sales, Feb. 1, 1935 to Dec. 31, 1936, with tabulation of figures attached.	1370	3587

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 928	Stipulation of testimony of M. L. Smith concerning Kanotex Refining Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1370	3588
D 929	Stipulation of testimony of L. D. Hinman concerning Eason Oil Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1370	3590
D 930	Stipulation of testimony of James D. Miller concerning Black Gold Refining Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1370	3592
D 931	Tabulation of Cosden Petroleum Corporation gasoline production and sales, 1934-1936	1371	3594
D 932	Tabulation of Sun Company gasoline production and sales, 1934-1936	1373	3595
D 933	Tabulation of Rodessa Oil and Refining Corporation gasoline production and sales, Oct. 1935 to Dec. 1936	1374	3596
D 934-935	Tabulation of Deep Rock Oil Corporation gasoline production and shipments, 1934-1936	1375	3597
D 936	Map showing freight rates from various refining areas compared with rates from Group 3	1367 1396	3601
D 937	Map showing freight rates from various refining areas to Madison, Wisconsin, compared with freight rates from Group 3	1415	3605

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 938	Map showing principle navigable waterways supplying Mid-Western area	1419	3609
D 939 and 941	Tabulation of daily refining capacities of various types of refineries which supply Mid-Western area, as of Jan. 1, 1935 to Jan. 1, 1936	1445	3611
D 940 and 942	Tabulation of daily refinery capacities of various types of refineries surrounding Standard of Indiana territory, as of Jan. 1, 1935 and Jan. 1, 1936	1445	3624
D 946	Tabulation of monthly United States gasoline domestic demand and export shipments, 1935-1936	1476	3635
D 947	Chart comparing annual gasoline consumption in Mid-Western area with total United States, 1930-1936	1478	3639
D 948	Tabulation comparing monthly Government forecast of United States gasoline demand with actual consumption, 1935-1936	1480	3641
D 949	Tabulation of monthly United States gasoline inventories, 1935-1936	1483	3642
D 950	Tabulation of days' supply of finished gasoline in United States, 1935-1936	1486	3643
D 951	Tabulation of United States monthly recommended crude oil production compared with actual production, 1935-1936	1487	3644

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 952	Tabulation of United States monthly crude oil inventories, 1935-1936...	1488	3645
D 953	Charts showing for 1935-1936 (1) gasoline prices f.o.b. Group 3, (2) crude oil posted prices, (3) United States gasoline domestic demand and exports, (4) United States estimated gasoline demand compared with actual demand, (5) monthly gasoline inventories, and (6) days' supply of finished gasoline.....	1503	3649
D 954	Charts showing for 1935-1936 (1) gasoline prices f.o.b. Group 3, (2) crude oil posted prices, (3) United States recommended crude production compared with actual production, (4) United States crude oil inventories, and (5) United States crude oil inventory changes.....	1503	3653
D 955	(for identification) Chart of gasoline prices, 1918-1936, of major marketing companies, average 50 United States cities, compared with monthly average United States crude oil prices	1518	3657
D 956	(for identification) Charts showing wholesale price relatives of gasoline and other commodities, 1926-1936, by years	1520	3661
D 957	(for identification) Charts showing wholesale prices relatives of gasoline and individual commodities, 1926-1936, by years	1520	3665

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 958	(for identification) Chart of gasoline tank wagon prices compared with cost of living and wholesale prices of all commodities in United States, 1918-1936	1520	3669
D 959	(for identification) Chart comparing United States gasoline tank wagon prices with wholesale dairy products prices, 1918-1936	1520	3673
D 960	Tabulation—Derby Oil Company gasoline production and sales, 1934-1936	1537	3676
D 961	Stipulation of testimony of C. G. Stokes concerning Olney Oil and Refining Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1536	3678
D 962	Stipulation of testimony of J. P. Dyer concerning Bell Oil and Gas Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1536	3680
D 963	Stipulation of testimony of William E. Conway concerning Shamrock Oil and Gas Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1536	3682
D 964	Stipulation of testimony of James D. Miller concerning Champlin Refining Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1536	3684

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 965	Stipulation of testimony of G. E. Dahlen concerning Danciger Oil and Refineries, Inc. gasoline production and sales, 1934-1936, with tabulation of figures attached.....	1536	3686
D 966	Stipulation of testimony of J. H. Sheehan concerning Lion Oil Refining Company gasoline production and sales, 1934-1936, with tabulation of figures attached.....	1536	3688
D 967	Letter, Franklin D. Roosevelt to C. E. Arnott	1687	3690
D 968	Extract from press release issued Nov. 14, 1934, by Department of the Interior, of speech by Harold L. Ickes before American Petroleum Institute, Nov. 14, 1934.....	1696	3690
D 969	Letter, Feb. 20, 1935, C. E. Arnott to Charles Fahy	1729	3692
D 970	Telegram, May 1, 1935, C. E. Arnott to H. W. Dodge	1732	3693
D 971	(for identification) Telegram, May 17, 1935, Charles Fahy to C. E. Arnott	1735	3693
D 972	(for identification) Letter May 7, 1935, E. B. Swanson to S. M. Vockel	1735	1349 3694
D 973	(for identification) Letter, May 17, 1935, E. B. Swanson to James J. Davis	1735 1841	1353 3695
D 974	Certified copies of orders appointing members of Petroleum Administrative Board and stating the qualifications, status, duties and powers of each member	1341	3696

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 975	Telegram, May 28, 1935, Charles Fahy to C. E. Arnott	1736	3716
D 976	Letter, June 3, 1935, Charles Fahy to C. E. Arnott	1736	3716
D 977	Letter, June 12, 1935, C. E. Arnott to Charles Fahy	1736	3717
D 978	Press release, Sept. 18, 1933, by Department of the Interior, setting forth speech of Harold L. Ickes before Planning and Coordination Committee	1739	3718
D 979	Letter, July 25, 1935, Harold L. Ickes to C. E. Arnott	1739	3721
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D 984	Stipulation of tank car purchases by Standard Oil Company (Indiana) from independent refiners in East Texas and Mid-Continent fields, 1931-1936	1808	3723
G 985	Telegram, July 10, 1935, Waggoner Refining Company, Inc. to A. V. Bourque	1818	3734
G 986	Letter, Oct. 2, 1935, Dale W. Moore Oil Company to Waggoner Refining Company, Inc., attention Dave Gray	1819	3734
D 988	Certificate by Harold L. Ickes of appointment of Charles Fahy as chairman of Petroleum Administrative Board, together with document describing his qualifications and duties	1341	3735

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 989	Stipulation of testimony of J. W. Steele relative to East Texas refineries operating on Federal tenders between March 1, 1935 and Dec. 31, 1936, as shown on Exhibit A attached thereto	1830	3737
D 990	Stipulation of testimony of James D. Miller concerning Dickey Oil and Refining Company gasoline production and sales, 1934-1936, with tabulation of figures attached.....	1830	3740
D 991	Stipulation of testimony of M. A. Chambers concerning Panhandle Producing and Refining Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1679 1830	3742
D 992	Stipulation of testimony of M. P. Appleby concerning Wilcox Oil and Gas Company gasoline production and sales, 1934-1936, with tabulation of figures attached	1830	3744
D 993	(for identification) Letter, April 30, 1935, Paul G. Blazer to Charles Fahy	1830	3746
D 994	(for identification) Letter, May 7, 1935, Chairman of Petroleum Administrative Board to Paul G. Blazer	1830	3748
D 995	Letter, March 30, 1935, Harold L. Ickes to B. P. Lientz	1831	3749
D 996	Telegram, Jan. 6, 1938, Harold L. Ickes to R. A. Irvine.....	1342	3750

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 997	Stipulation of testimony of Harold F. Parsons concerning attached data pertaining to Tide Water Oil Company of New Jersey gasoline production and sales, 1932-1936, and other information	1599 1844	3751
D 998	Stipulation of testimony of R. E. Everitt as to minimum stocks and market facilities of Globe Oil & Refining Companies	1609	3756
D 999	Tabulation of gasoline production, purchases, shipments, and inventories, Globe Oil & Refining Company (Oklahoma) and (Illinois), Jan. 1, 1933 to Aug. 31, 1937	1609	3757
D 1000	Tabulation of tank cars of gasoline purchased by Globe Oil & Refining Company (Oklahoma), Jan. 1, 1930 to Aug. 31, 1937, and by Globe Oil & Refining Company (Illinois), Jan. 1, 1933 to Aug. 31, 1937	1609	3762
D 1002	Summary of purchases by three Globe Companies, Jan. 1933 to Aug. 1937, from independent refiners and from other refiners and brokers	1609	3767
D 1003	Tabulation of crude oil runs to stills by Globe Oil & Refining Company plants, Jan. 1, 1931 to Aug. 31, 1937	1609	3768
D 1004	Tabulation of flat price purchases from independent refiners, Group 3, 1935-1936, by Globe Oil & Refining Company (Oklahoma) and (Illinois)	1610	3770

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 1008	Chart of gasoline shipments, manufacture, and casinghead and refined gasoline purchases by Globe Oil & Refining Companies, 1933-1937....	1612	3775
D 1009	Tabulations showing comparison of Pure Oil Company's gasoline purchases from Eason Oil Company with Eason Oil Company sales, 1935-1936	1614	3777
D 1010	Tabulation showing comparison of Pure Oil Company's gasoline purchases from Omar Refining Company with Omar Refining Company sales, 1935-1936	1614	3779
D 1011	Chart of purchases by defendant Companies from East Texas refiners, compared with Oilgram East Texas quotations for 1935	1617	3783
D 1012	Stipulation of testimony of Roy W. Dalby concerning gasoline shipped from Texas to Acme Petroleum Company in 1934, with Exhibit A attached	1619	3785
D 1013	Chart showing gasoline service station prices in Mid-Western area compared with the rest of the United States	1628 1679	3791
D 1014	Chart showing daily variations from average normal posted service station price in 28 representative Mid-Western cities, 1934-1936	1633	3795

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 1015	Tabulation—Sinclair Refining Company purchases in Mid-Continent field, Jan. 1, 1935 to April 30, 1936.	1636	3797
D 1016	Tabulation—operating refinery capacity of defendant companies compared with total United States operating capacity, as of Jan. 1, 1935 and Jan. 1, 1936	1535	3798
D 1023 (1017–1022)	Chart showing volume of East Texas and Mid-Continent gasoline sales and purchases by all East Texas independent refiners, 29 Mid-Continent independent and semi-major refiners, East Texas independent refiners named in the indictment, and Mid-Continent independent refiners named in the indictment, in 1935 and 1936.....	1644 1646 1679	3803
D 1024	Chart of flat price purchases of regular and third grade gasoline, Group 3, Oklahoma refiners, by defendant major oil companies and by jobbers and consumers, compared with 1935 journal quotations	1679	3807
D 1025	Tabulation—summary f.o.b. Group 3 Oklahoma refinery flat price purchases by defendant companies from independent refiners and brokers of regular and third grade gasoline, compared with Chicago Journal of Commerce quotations, Jan. 1, 1935 to April 30, 1936.....	1663	3809

Exhibit No.		Rec'd in evidence at page	Reproduced at page
D 1026	Tabulation—summary f.o.b. Group 3 Oklahoma refinery flat price purchases by defendant companies from independent refiners and brokers of third grade and regular gasoline, compared with Platt's Oilgram quotations for Oklahoma refinery market, Jan. 1, 1935 to April 30, 1936	1663	3810
D 1027	Tabulation—operating refinery capacity, Tide Water Associated Oil Company, Gulf Refining Company, The Texas Company and Deep Rock Oil Company, as of Jan. 1, 1935 to Jan. 1, 1936	1536	3811
D 1028	Stipulation concerning gasoline sales by defendant companies in Mid-Western area, 1935 and first seven months of 1936	1536	3812
D 1029	(for identification) Certified copy, Order, June 23, 1934, by Harold L. Ickes, approving Pacific Coast Agency Agreement and Refiners' Agreement and supplemental agreements thereto	1680	3817
D 1030	(for identification) Certified copy, memorandum, March 22, 1935, Charles Fahy to Administrator of Petroleum Code	1678	3869
G 1031	Letter, Sept. 8, 1936, M. G. Peeters to Clayton W. Haswell, together with enclosure of letter, July 24, 1934, A. G. Maguire to Chairmen of State Petroleum Committees	1683	3874

Exhibit No.		Rec'd in evidence at page	Reproduced at page
G 1032	Tabulation—tank car shipments of refined gasoline from 34 independent refiners in East Texas, March 1, 1935 to March 3, 1936.....	1850	3878
G 1033	Tabulation—purchases of third grade gasoline by Sinclair Refining Company from independent refiners in East Texas, March 1, 1933 to April 30, 1936	1850	3882
G 1034	Purchase order, Sept. 18, 1935, from Globe Oil & Refining Company (Illinois) to T. R. Vaughn	1864	3883
G 1035	Sales acknowledgment, Sept. 18, 1935, from T. R. Vaughn Oils to Globe Oil & Refining Company (Illinois).	1864	3885
D 1036	Letter, Sept. 26, 1935, Globe Oil & Refining Company to T. R. Vaughn Oils	1864	3886
D 1038	Letter, Sept. 20, 1935, J. M. Alexander to T. R. Vaughn Oils.....	1864	3888
D 1040	Identical with Gov. Ex. 1035, except handwritten notations (sales acknowledgment, Sept. 18, 1935, T. R. Vaughn Oils to Globe Oil & Refining Company (Illinois)) (Reference to)	1864	3890
G 1043	Stipulation concerning exhibits of Shell Petroleum Corporation.....	1876	3890
G 1044	Stipulation concerning Exhibits 24, 27 and 52	1876	3891
G 1045	Stipulation concerning documents of Clyde M. Boggs	1876	3891
G 1046	Stipulation concerning Exhibits 320,		

Exhibit No.		Rec'd in evidence at page	Reproduced at page
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G 1047	Stipulation concerning Exhibits 316-319	1876	3892
D 1048	Telegram, Jan. 14, 1938, R. E. Everitt to Ralph Horween	1878	3892
D 1049	Teletype, Globe Oil & Refining Company, Wichita, Kansas, to Globe Oil & Refining Company, Chicago, Illinois	1880	3892
D 1050	Letter, Oct. 4, 1935, W. H. Barber Company to Globe Oil & Refining Company, with enclosure of letter, Oct. 3, 1935, Illinois Farm Supply Company to W. H. Barber Company	1880	3893
D 1051	Letter, Oct. 7, 1935, W. H. Barber Company to Globe Oil & Refining Company	1880	3895
D 1052	Statement re purchase orders and invoices of Globe Oil & Refining Company (Oklahoma) and (Illinois), concerning sales at a loss in 1931 and 1933		3895
G 1053	Stipulation of testimony of H. Russell Richards concerning sales of gasoline by Continental Oil Company, with Exhibit A attached	1889	3896
D 1054	Statement re letter, Oct. 8, 1935, Globe Oil & Refining Company (Illinois) to Globe Oil & Refining Company (Oklahoma), and telephone statements from Aug. 21, 2935, through Sept. 25, 1935, attached	1878	3902
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5251 **GOVERNMENT EXHIBIT NO. 673.**

Service Station Prices less City, State, and Federal Gasoline Tax
Average for 28 Cities in Ten States
(Oil Price Handbook)
Standard Red Crown Gasoline
(Regular Grade)

December	3, 1934	10.97¢	August	19, 1935	13.48¢
December	10, 1934	11.44	August	26, 1935	13.56
December	17, 1934	11.59	September	2, 1935	13.60
December	24, 1934	11.70	September	9, 1935	13.60
December	31, 1934	11.79	September	16, 1935	13.41
January	7, 1935	11.79	September	23, 1935	13.41
January	14, 1935	12.41	September	30, 1935	13.41
January	21, 1935	12.57	October	7, 1935	13.41
January	28, 1935	12.89	October	14, 1935	13.38
February	2, 1935	12.61	October	21, 1935	13.38
February	11, 1935	12.53	October	28, 1935	13.38
February	18, 1935	12.57	November	4, 1935	13.38
February	25, 1935	12.56	November	11, 1935	13.38
March	4, 1935	12.56	November	18, 1935	13.34
March	11, 1935	12.56	November	25, 1935	13.34
March	18, 1935	12.56	December	2, 1935	13.41
March	25, 1935	12.90	December	9, 1935	13.41
April	1, 1935	12.90	December	16, 1935	13.41
April	8, 1935	12.97	December	23, 1935	13.41
April	15, 1935	13.26	December	30, 1935	13.41
April	22, 1935	13.32	January	6, 1936	13.35
April	29, 1935	13.32	January	13, 1936	13.45
May	6, 1935	13.56	January	20, 1936	13.93
May	13, 1935	13.56	January	27, 1936	13.93
May	20, 1935	13.56	February	3, 1936	13.93
May	27, 1935	13.56	February	10, 1936	13.93
June	3, 1935	13.56	February	17, 1936	13.93
June	10, 1935	13.56	February	24, 1936	14.08
June	17, 1935	13.83	March	2, 1936	14.08
June	24, 1935	13.79	March	9, 1936	14.08
July	1, 1935	13.79	March	16, 1936	14.12
July	8, 1935	13.72	March	23, 1936	14.12
July	15, 1935	13.56	March	30, 1936	14.12
July	22, 1935	13.51	April	6, 1936	14.12
July	29, 1935	13.44	April	13, 1936	14.12
August	5, 1935	13.44	April	20, 1936	14.16
August	12, 1935	13.48	April	27, 1936	14.16

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May	4, 1936	14.16¢	August	31, 1936	14.08¢
May	11, 1936	14.16	September	7, 1936	13.87

May	18, 1936	14.20	September	14, 1936	13.87
May	25, 1936	14.20	September	21, 1936	13.87
June	1, 1936	14.22	September	28, 1936	13.64
June	8, 1936	14.14	October	5, 1936	13.63
June	15, 1936	14.14	October	12, 1936	13.63
June	22, 1936	14.14	October	19, 1936	13.63
June	29, 1936	14.16	October	26, 1936	13.60
July	6, 1936	14.16	November	2, 1936	13.60
July	13, 1936	14.16	November	9, 1936	13.60
July	20, 1936	14.16	November	16, 1936	13.59
July	27, 1936	14.16	November	23, 1936	13.59
August	3, 1936	14.16	November	30, 1936	13.59
August	10, 1936	14.16	December	7, 1936	13.63
August	17, 1936	14.16	December	14, 1936	13.94
August	24, 1936	14.08	December	21, 1936	13.94

5253 **Twenty-Eight Representative Cities in Standard Oil Company (Indiana) Territory**

Chicago, Illinois
Decatur, Illinois
Joliet, Illinois
Peoria, Illinois
Quincy, Illinois
Indianapolis, Indiana
Evansville, Indiana
South Bend, Indiana
Detroit, Michigan
Grand Rapids, Michigan
Saginaw, Michigan
Green Bay, Wisconsin
La Crosse, Wisconsin
Milwaukee, Wisconsin
Minneapolis, Minnesota
Duluth, Minnesota
Mankato, Minnesota
St. Louis, Missouri
Kansas City, Missouri
St. Joseph, Missouri
Davenport, Iowa
Des Moines, Iowa
Mason City, Iowa
Sioux City, Iowa
Fargo, North Dakota
Minot, North Dakota
Huron, South Dakota
Wichita, Kansas

5254 GOVERNMENT EXHIBIT NO. 674.

AVERAGE SERVICE STATION PRICES (LESS GASOLINE TAX) FOR 28 CITIES BY STANDARD OIL

SERVICE STATION PRICES COMPARED WI

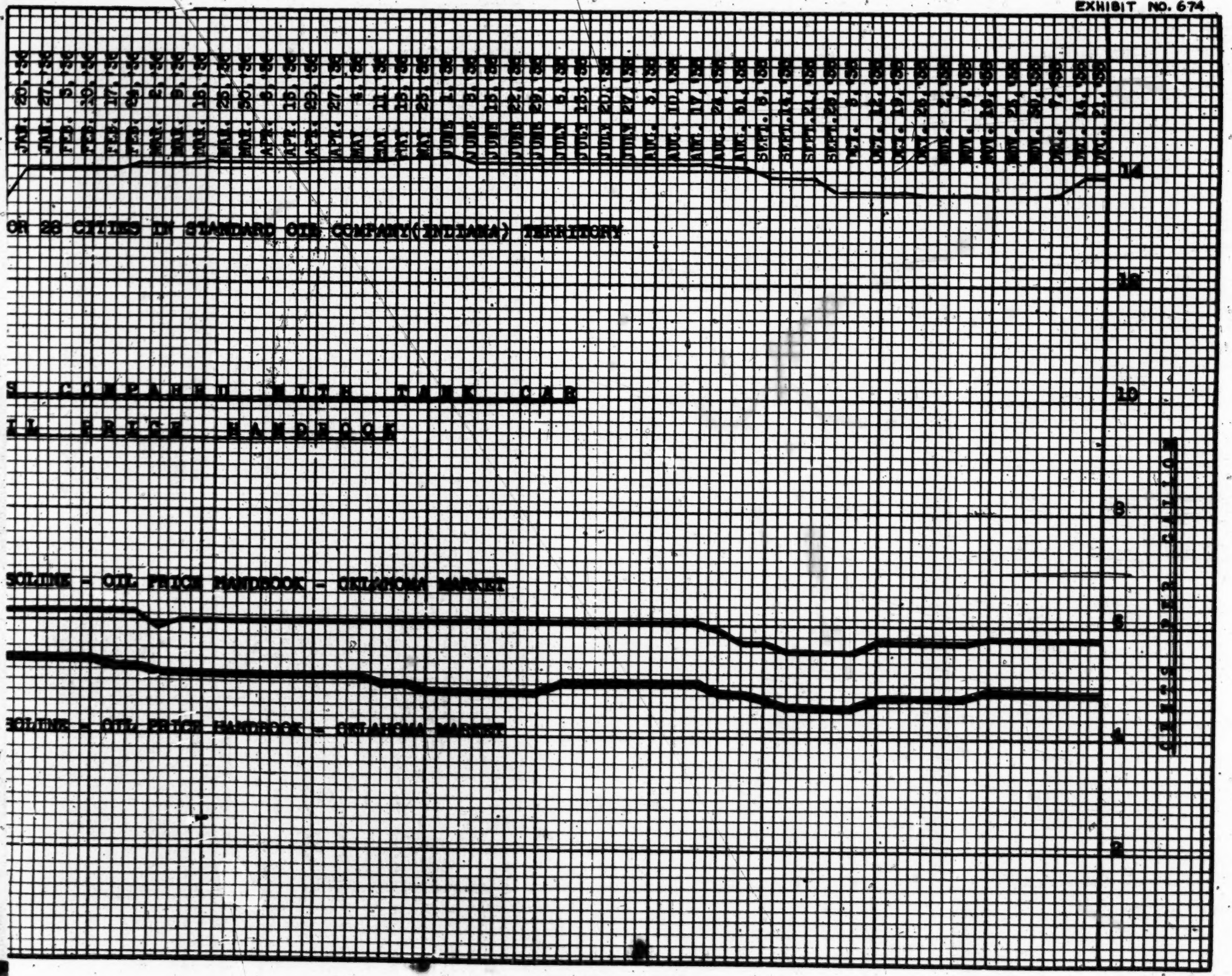
QUOTATIONS - OIL PRICE HAND

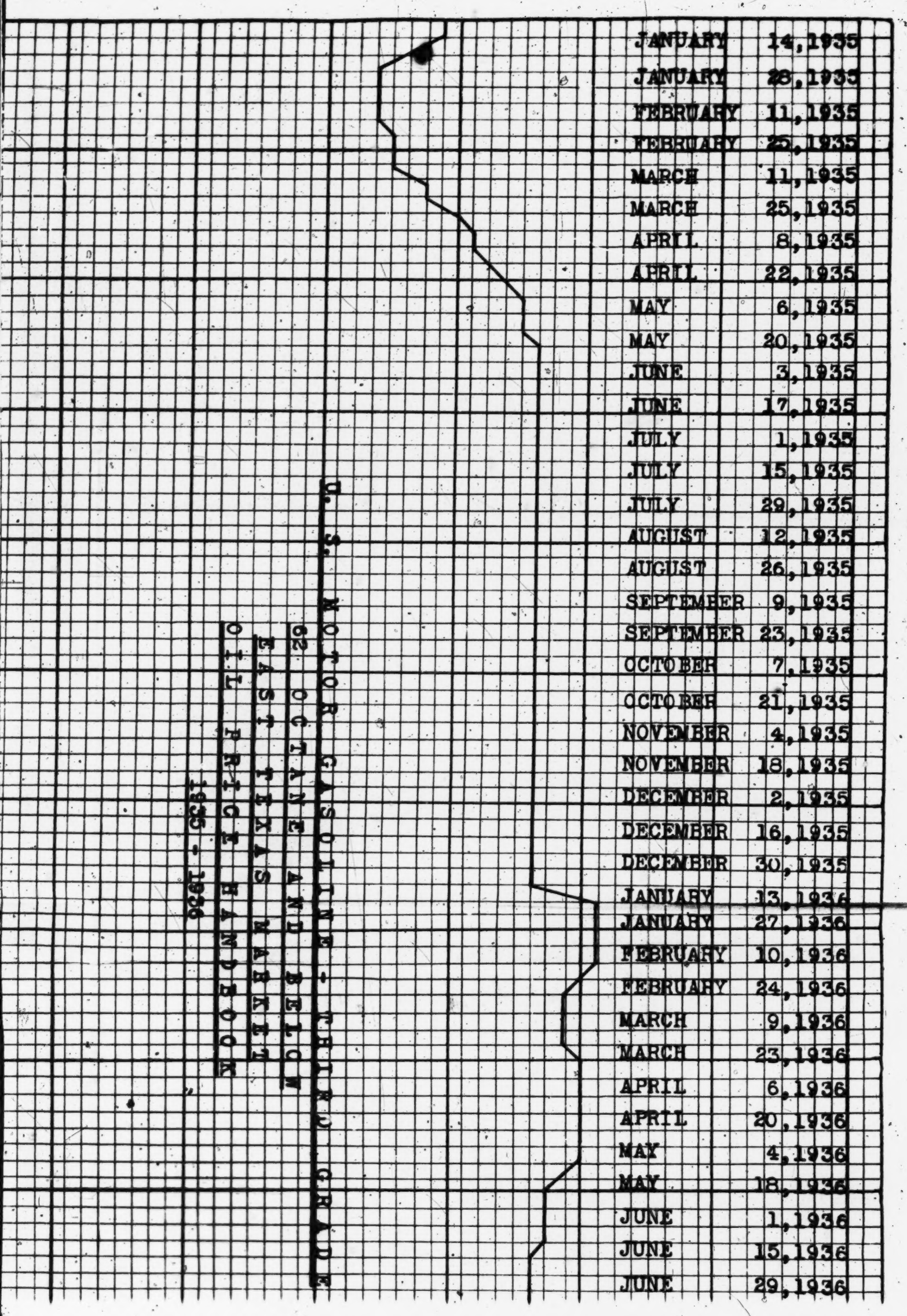
Monday
LOW QUOTATIONS FOR HOUSE BRAND GASOLINE - OIL PRICE HANDBOOK

Monday
LOW QUOTATIONS FOR THIRD GRADE GASOLINE - OIL PRICE HANDBOOK

EXHIBIT NO. 674

309





JANUARY	14, 1935
JANUARY	28, 1935
FEBRUARY	11, 1935
FEBRUARY	25, 1935
MARCH	11, 1935
MARCH	25, 1935
APRIL	8, 1935
APRIL	22, 1935
MAY	6, 1935
MAY	20, 1935
JUNE	3, 1935
JUNE	17, 1935
JULY	1, 1935
JULY	15, 1935
JULY	29, 1935
AUGUST	12, 1935
AUGUST	26, 1935
SEPTEMBER	9, 1935
SEPTEMBER	23, 1935
OCTOBER	7, 1935
OCTOBER	21, 1935
NOVEMBER	4, 1935
NOVEMBER	18, 1935
DECEMBER	2, 1935
DECEMBER	16, 1935
DECEMBER	30, 1935
JANUARY	13, 1936
JANUARY	27, 1936
FEBRUARY	10, 1936
FEBRUARY	24, 1936
MARCH	9, 1936
MARCH	23, 1936
APRIL	6, 1936
APRIL	20, 1936
MAY	4, 1936
MAY	18, 1936
JUNE	1, 1936
JUNE	15, 1936
JUNE	29, 1936

EXHIBIT NO. 676

COMPOSITE OF
PRICE QUOTATIONS
PLATT'S OILGRAM OKLAHOMA REFINERY MARKET
AND
CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3

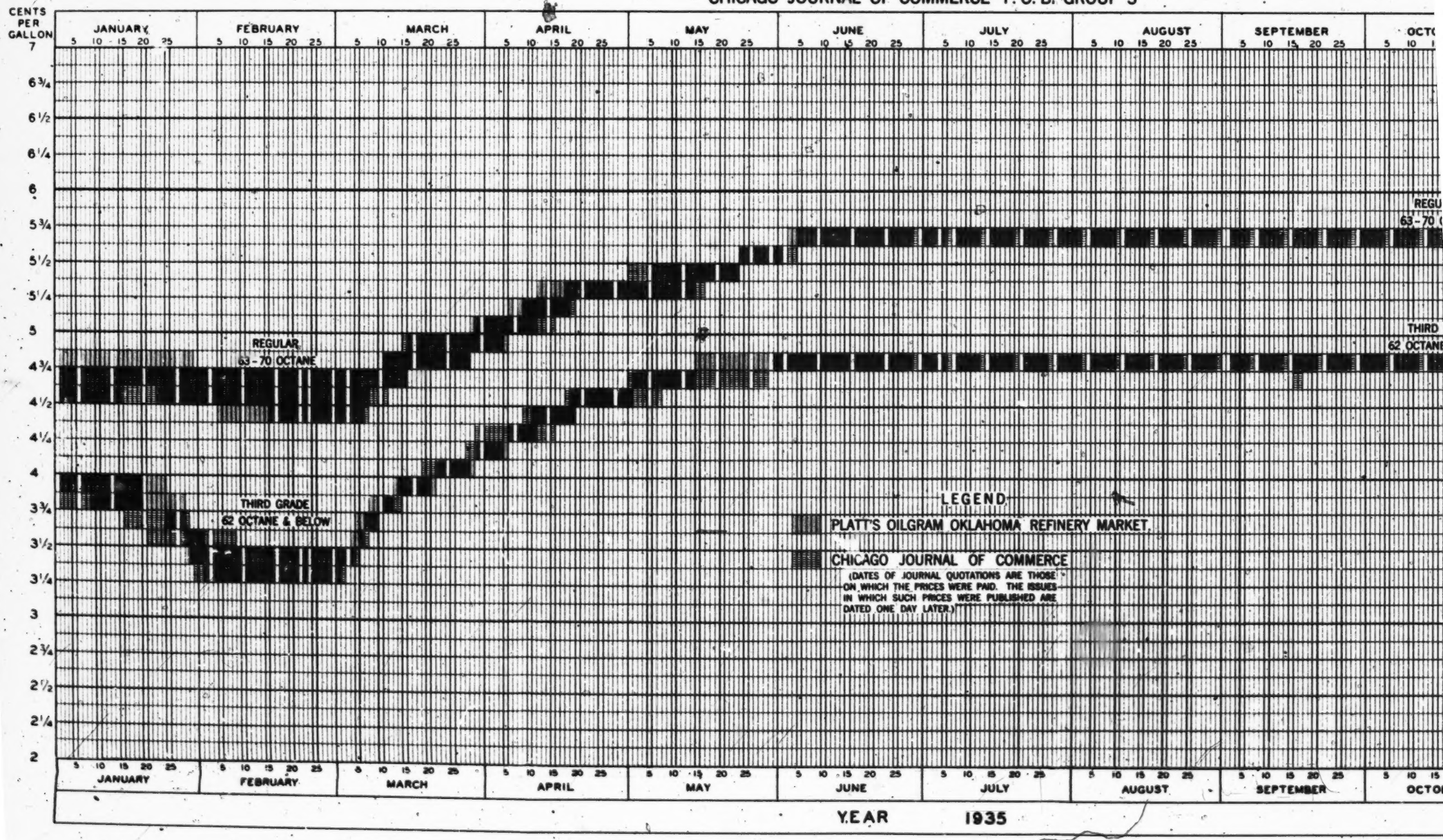
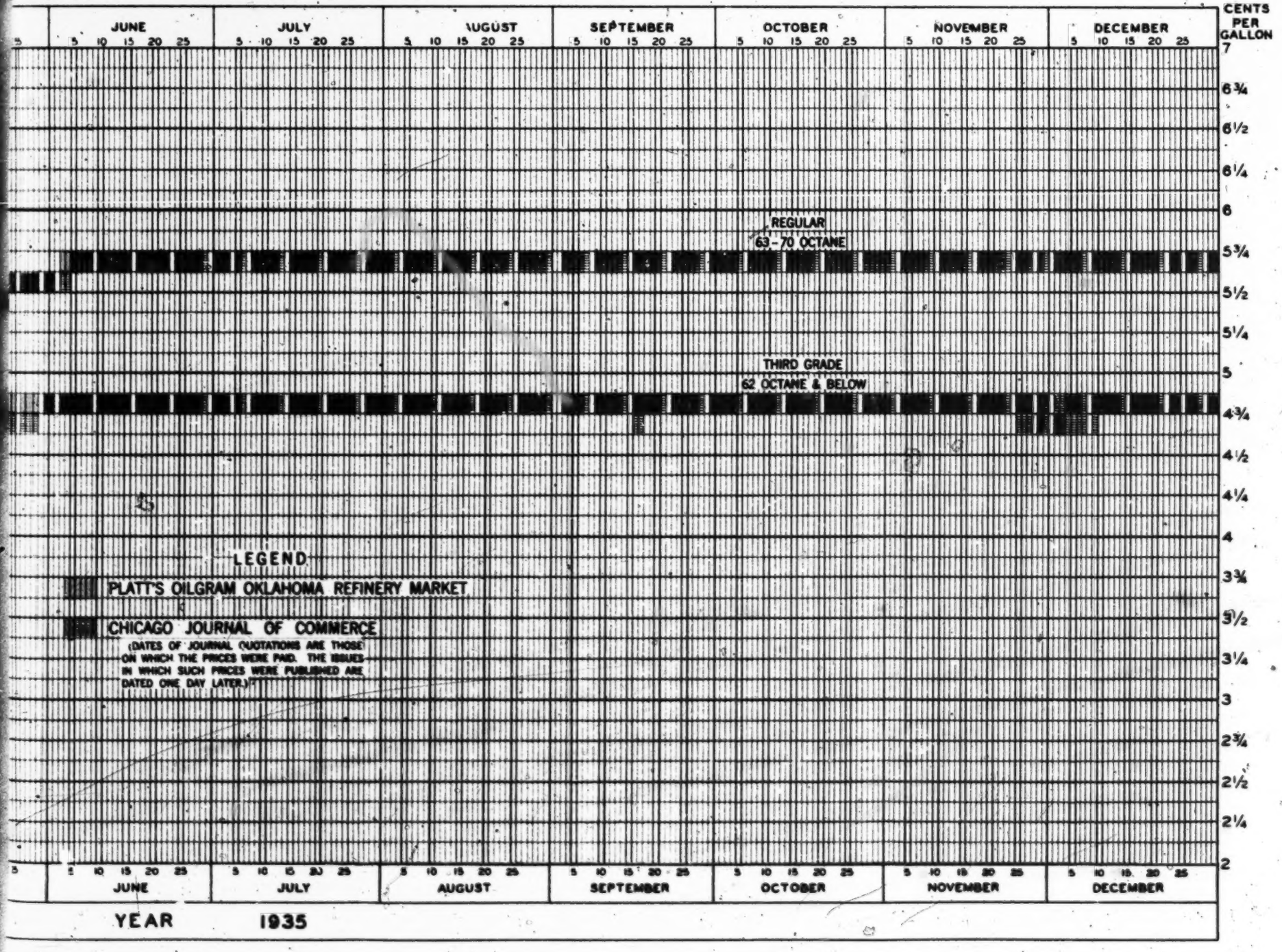


EXHIBIT NO. 679 id.

3105

COMPOSITE OF
PRICE QUOTATIONS
ATT'S OILGRAM OKLAHOMA REFINERY MARKET
AND
AGO JOURNAL OF COMMERCE F. O. B. GROUP 3



COMPOSITE OF
PRICE QUOTATIONS
PLATT'S OILGRAM OKLAHOMA REFINERY MARKET
AND
CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3

CENTS PER GALLON

7
6¾
6½
6¼
6
5¾
5½
5¼
5
4¾
4½
4¼
4
3¾
3½
3¼
3
2¾
2½
2¼
2

JANUARY | FEBRUARY | MARCH | APRIL | MAY | JUNE | JULY | AUGUST | SEPTEMBER

5 10 15 20 25

REGULAR
63 - 70 OCTANE

REGULAR
68 - 70 OCTANE

THIRD GRADE
62 OCTANE & BELOW

THIRD GRADE
62 OCTANE & BELOW

PRICE OF CRUDE OIL ADVANCED JAN. 8

LEGEND

PLATT'S OILGRAM OKLAHOMA REFINERY MARKET

CHICAGO JOURNAL OF COMMERCE

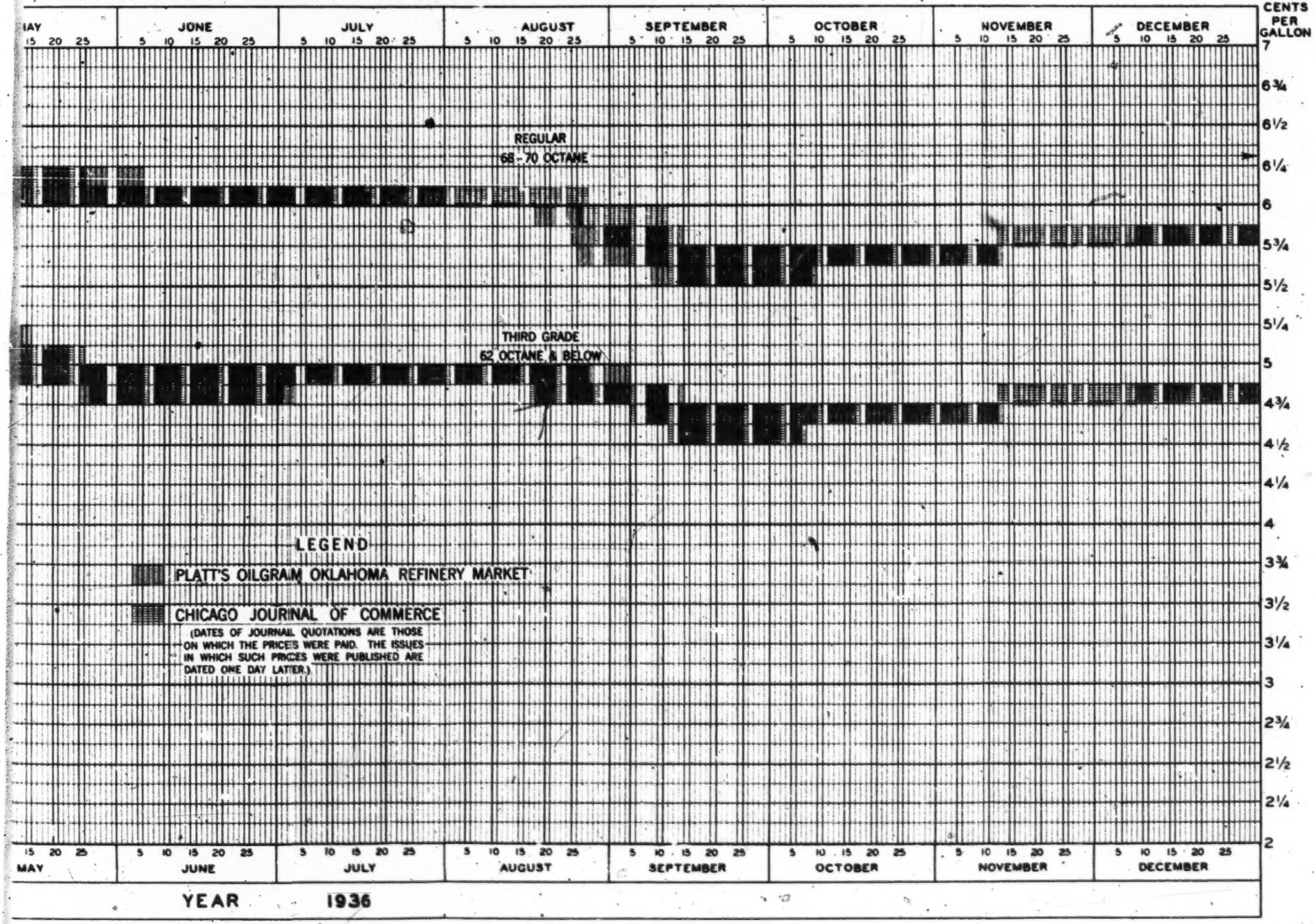
(DATES OF JOURNAL QUOTATIONS ARE THOSE ON WHICH THE PRICES WERE PAID. THE ISSUES IN WHICH SUCH PRICES WERE PUBLISHED ARE DATED ONE DAY LATER.)

YEAR 1936

EXHIBIT NO. 680 id.

3109

COMPOSITE OF
PRICE QUOTATIONS
PLATT'S OILGRAM OKLAHOMA REFINERY MARKET
AND
CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3



YEAR 1936

5262 **GOVERNMENT EXHIBIT NO. 681.**

March 8, 1935

Wadhams Oil Company
Milwaukee, Wisconsin

Att: Mr. A. G. Maguire, Chairman

Subject: Weekly Letter

Dear Mr. Maguire:

Crude Oil—The crude oil situation is stronger, due mainly to improved conditions in East Texas. The Federal tender board is again on top, benefiting by a decision yesterday of Federal Judge Bryant who denied a petition for a Federal restraining order sought by Attorney Fisher. The purpose of the suit was to make the Federal tender board secondary in importance to the State tender board. Had the decision been in favor of Fisher, the Federal tender board would have been more or less a "rubber stamp" organization, and would have had to accept the decisions of the State tender board on tenders. This decision is important, and temporarily at least gives a vastly improved tone to crude oil, as well as products in East Texas.

Gasoline—The buying pool has started operations, and the various buying companies are placing orders. A subcommittee of the Tank Car Stabilization Committee has been named; Mr. McDowell of Mid-Continent Petroleum Corporation (Chairman), Mr. Tuttle of Empire, and the writer have been asked to serve in this area as a steering committee on pool matters.

Prices have already started to reflect a better mental frame of mind, and third grade gasoline has advanced sharply this week to 3½¢. A 3⅝¢ price is expected shortly. So far the price of 63/70 octane gasoline has failed to show much improvement.

Jobbers are showing more interest in building up their storage stocks, and inquiries and orders, I am told, have improved considerably.

Natural Gasoline—26/70 is expected to hold around the 2¢ level. Natural Gasoline manufacturers are switching to the stabilized grades, and these grades are in good demand.

Yours very truly,
W. P. Jacobi

copy for Mr. A. Olberg, President—from Tulsa office

Date Stamp
"Received
Mar 11 1935
Perfect Oil Corporation"

5263 GOVERNMENT EXHIBIT NO. 682.

March 15, 1935

Wadhams Oil Company
Milwaukee, Wisconsin

Att: Mr. A. G. Maguire, Chairman

Subject: Weekly Letter

Dear Mr. Maguire:

Crude Oil—Crude Oil and Gasoline markets indicate a firmer trend.

The industry seems to have taken heart in the renewed activities of the Federal Tender Board in East Texas, and most of the credit for this better state of mind must be given to the Tender Board.

Gasoline—The writer has been busy this week on tank car stabilization work, and thus far results are gratifying. Our Committee decided on a price of 3¾¢ for third grade, and 4¾¢ for "Q", for next week. Purchasing companies, including our own units, are paying these prices today. Since this stabilization work started, an advance in price of about ⅜¢ per gallon on both grades has resulted.

Jobber demand has decreased somewhat the past week, and some good weather would now be very welcome, from the viewpoint of our work here.

Natural gasoline, 26/70 grade shows no price improvement as yet, but I believe it will shortly.

Yours very truly,
W. P. Jacobi

cc copy for Mr. A. Olberg, President—from Tulsa office

Date Stamp
"Received
Mar 11 1935
Perfect Oil Corporation"

5264 GOVERNMENT EXHIBIT NO. 683.

Wadhams Oil Company
Milwaukee, Wisconsin

March 22, 1935

Att: Mr. A. G. Maguire, Chairman

Subject: Weekly Letter

Dear Mr. Maguire:

Crude Oil—Early this week a very important decision was rendered in East Texas by Federal Judge Bryant who denied a restraining order against the Federal Tender

Board which was asked for by the Marimac Oil Company and the Oil Sales, Inc., clients of Attorney Fisher. It is interesting to note that the Marimac Oil Company is owned by a broker, Mr. McDonald of Tyler, Texas. Oil Sales, Inc. are also a brokerage house and two of the incorporators of this latter firm are; one, Attorney Fisher's stenographer and the other, the stenographer of the recently formed East Texas Refiner's Marketing Association.

Due to support such as this rendered by the courts to the Federal Tender Board, the trend of hot oil is definitely down. Current estimates placed the total hot oil figure in East Texas at thirty to thirty-five thousand barrels per day at present, a reduction of twenty to thirty thousand barrels in the past few weeks. Runs to local refineries in East Texas are down 23,000 barrels in recent weeks.

With these improved conditions in East Texas, the situation on crude elsewhere has strengthened gradually and a better feeling in producing circles is quite apparent.

Gasoline—3rd grade U. S. Motor is quoted at 3⅞¢ group 3 today by brokers, which is mostly material in transit, bought a week or so ago. It is expected that this will be absorbed readily. A 4¢ market on this grade of gasoline is expected tomorrow in Oklahoma.

63/70 gasoline has advanced to 4¾¢ group 3 and I expect further price advances on both grades next week.

Natural Gasoline 26/70 is holding at 2⅛¢ group 3, and a number of firms with storage at the Gulf are starting to fill. While I hardly expect say quick advance in Natural prices, I do look for an improved price situation within the next 30 to 40 days.

Conclusion—I do not like to get too optimistic, but with East Texas in good shape at present, with gasoline in Oklahoma, North Texas and Kansas being readily absorbed we have a situation here that looks better to me than anything I can remember in a long time.

In trying to figure out what could happen to upset things I can only think of the discovery of a new pool, an
5265 unfavorable court decision in East Texas or a sudden jump in refinery runs, and of course these circumstances are possibilities, and not even probabilities today.

Yours very truly,
W. P. Jacobi

copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Mar 25 1935
Perfect Oil Corporation"

5266 **GOVERNMENT EXHIBIT NO. 684.**

March 29, 1935

Wadhams Oil Company
Milwaukee, Wisconsin

Att: Mr. A. G. Maguire, Chairman

Subject: Weekly Letter

Dear Mr. Maguire:

Crude Oil—Activity in drilling continues in Kansas, Oklahoma and Texas. Thus far no pool of consequence has been uncovered, with the result that "free" crude is quite scarce. This state of affairs is important as it has the effect of holding runs in check. Particularly so in the case of small plants, who are always tempted to run more crude on a rising market at this season.

I am beginning to hear "rumors" of a small advance in crude prices. As yet these rumors are not taken very seriously by the trade.

Gasoline—We have a firm 4¢ price on U. S. Motor below 62 octane in Kansas, Oklahoma and Northern Texas for shipment into the Standard of Indiana territory. These districts are getting a premium of ⅛¢ to ¼¢ for shipment within their respective states. A price of 4⅛¢ Group 3 for this grade is expected next week.

63/70 octane is now quoted at 4⅞¢ Group 3.

As long as the bulk of the East Texas gasoline continues its movement South, it is expected prices for tank car gasoline will continue to strengthen gradually in this area.

Demand from jobbers continues at a slow rate for several reasons. Jobbers North and West have had very unfavorable weather recently. Further, I do not believe they feel that present market prices will hold. It is quite possible they may be fooled this year in this respect.

Natural Gasoline—26/70 grade is holding well at 2⅛¢ Group 3, and considerable stabilized gasoline is being shipped to Gulf storage.

Yours very truly,
W. P. Jacobi

copy for Mr. A. Olberg, President—from Tulsa office

Date Stamp
"Received
Apr 1 1935
Perfect Oil Corporation"

5267 **GOVERNMENT EXHIBIT NO. 685.**

April 12, 1935

Wadhams Oil Company
Milwaukee, Wisconsin

Att: Mr. A. G. Maguire, Chairman

Subject: Weekly Letter

Dear Mr. Maguire:

Crude Oil—Activity in Oklahoma and Kansas continues with the Fitts and Edmond pools in the limelight. These pools appear to be controlled rather well, and thus far as pools that are likely to weaken the crude price structure have put in an appearance. On the contrary, crude in all areas is in good demand and conditions should continue to improve as the larger consuming season for gasoline approaches.

Gasoline—The higher prices for gasoline, however, both wholesale and retail, have given the industry new hope, in the Mid-Continent field.

U. S. Motor below 62 octane is firm at 4¼¢, Group 3, today.

63/70 octane is firm at 5¢ and demand for this product is really better, than on 3rd grade.

Word from East Texas indicates, that the market there is being kept fairly well cleaned, and 3rd grade gasoline in East Texas is quoted at 4⅛¢ fob East Texas. I hear a rumor of a 4¼¢ price there next week.

Standard of Indiana advanced Service Station prices 3/10¢ today and this action should peg present tank car prices.

While the price trend on tank car gasoline is still upward prices will, no doubt, advance at a rather slow rate over the next thirty days. Weather conditions in April and early May are usually disappointing.

Natural Gasoline—26/70 grade is now quoted at 2½¢ Group 3 and I expect this price to hold over the next few weeks.

Kerosene and gas oil prices have advanced moderately in the past few days.

Conclusion: The mental frame of mind of those in the oil business here has improved considerably, and if the enthusiasm of refiners and producers, particularly the

former, can be curbed, the industry should find itself in a position to make some money in 1935.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg—President
Date Stamp
"Received
Apr 15 1935
Perfect Oil Corporation"

5268 GOVERNMENT EXHIBIT NO. 686.

Wadhams Oil Company, April 26, 1935
Milwaukee, Wisconsin.

Att: Mr. A. G. Maguire, Chairman
Subject: Weekly Letter

Dear Mr. Maguire:

Crude Oil—Production of crude in the United States has mounted to 2,621,000 barrels per day, and new activity in all fields accounts for this increase. No particular concern is expressed, however, due to the fact that no major pool has been uncovered.

Gasoline—The price structure continues to improve, in this area.

Tank car prices for gasoline, and kerosene are up ⅛¢ since last week. Another 3/10 of a cent advance in Standard Oil of Indiana Service Station prices is expected next week.

U. S. Motor, below 62 octane is firm at 4½¢ Group 3 today—63/70 octane is quoted at 5¼¢. The whole gasoline market structure, is regarded as being sounder, basically, than it has been for a considerable length of time.

It is pointed out that refiners are getting about $100 more per tank car for gasoline, than they were obtaining sixty days ago.

Dust storms, and poor weather generally in the central west, has been holding jobber buying down to the minimum. With better weather in store, after the next few weeks, one cannot help but feel optomistic regarding gasoline prices for the summer months.

Natural Gasoline—Natural prices are holding—26/70 grade is still selling at 2¾¢. I expect another price advance of ⅛¢—¼¢ in 26/70 Grade within the next two weeks.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg.

5269 **GOVERNMENT EXHIBIT NO. 687.**

May 3, 1935

Wadhams Oil Company,
Milwaukee, Wisconsin.

Att: Mr. A. G. Maguire, Chairman

Subject: Weekly Letter

Dear Mr. Maguire:

Crude Oil—With gasoline prices maintaining their advances, and showing a tendency to advance further, producers of crude oil are greatly encouraged.

Gasoline—As expected, the S. O. of Indiana advanced service station prices another 3/10's of a cent yesterday.

U. S. M. below 62 octane remains firm at 4½¢ Group 3. 63/70 octane grade remains unchanged at 5¼¢.

Demand this week is better, and jobbers have been active buyers.

Natural Gasoline—The 26/70 grade advanced to 3¢, and for the present no further advance in Natural prices are expected.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
May 6 1935
Perfect Oil Corporation"

5270 **GOVERNMENT EXHIBIT NO. 688**

May 10, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company,
Milwaukee, Wisconsin.

Weekly Letter

Dear Mr. Maguire:

Crude Oil—A Healthy condition continues to exist for two reasons. One, no active producing fields have been discovered, even with increased field operations. The steady improvement in prices for products, is having a stabilizing influence on the dollar posted price for crude.

Gasoline—Gasoline tank car prices have been maintained the past few weeks in the face of very unfavorable weather conditions in the territory.

U. S. M. below 60/62 octane is quoted at 4⅝¢ group 3, and ⅛¢ higher price may be looked for next week.

63/70 octane is quoted at 5¼¢ group 3, and a ⅛¢ to ¼¢ advance in this grade is expected soon.

Tractor distillates, kerosene, regular distillate, zero gas oil are in good demand, and prices on the first three products are up ¼¢ in the past week.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
May 13 1935
Perfect Oil Corporation"

5271 **GOVERNMENT EXHIBIT NO. 689.**

May 18, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company,
Milwaukee, Wisconsin.

Weekly Letter

Dear Mr. Maguire:

Crude Oil—Producers are feeling good. Continued improvement in the crude oil situation is expected, as long as the industry maintains a balance between production and refining demand. No new pools of consequence have been uncovered, at this writing. Field operations are still active.

Gasoline—Even with most unfavorable weather in the S. O. of Indiana territory, prices for tank car gasoline are holding, in fact, the 63/70 octane price has advanced to 5⅜¢ Group 3, up ⅛¢ since last week.

U. S. Motor, below 62 octane is moving fairly well at 4⅝¢ Group 3.

In East Texas, state authorities have stopped the truck movement of hot gasoline. Several of the larger refiners from East Texas were in my office this week, and they felt conditions were never better, in that area.

If present refinery allocations are observed, and if no new pool is brought in, I look for continued strength in the whole market structure.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
May 20 1935
Perfect Oil Corporation"

5272 **GOVERNMENT EXHIBIT NO. 690.**

May 24, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company,
Milwaukee, Wisconsin.

Dear Mr. Maguire:

The crude situation is unchanged from last week, but field operations are increasing, particularly in California, East Texas and Michigan, according to trade reports.

Gasoline prices even with most unfavorable weather, are holding. In fact it is expected the price for 63/70 octane in the trade papers will advance to 5½¢ in the next day or two.

62 octane and below is moving slowly.

Distillates, kerosene and tractor fuels are in excellent demand.

Natural prices are holding.

With tank car gasoline prices at the highest point in months, the only concern one hears expressed in the immediate outlook is the possibility of refiners disregarding allocations, and increasing runs. Chiseling on runs could very quickly start prices downward.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
May 27 1935
Perfect Oil Corporation"

5273 **GOVERNMENT EXHIBIT NO. 691.**

May 31, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company,
Milwaukee, Wisconsin.

Dear Mr. Maguire:

The Supreme Court decision apparently does not affect crude oil production schedules, for the various areas. It does not affect the Connally law. It does dispose of Federal gasoline allocations, and therefore, refinery runs will have to be watched by the industry. If refiners with their own crude supplies choose to take advantage of the higher prices, and run too much crude, prices both wholesale and retail will be affected very quickly.

Tank car gasoline prices started to slip, as soon as the Supreme Court decision was made public.

At this writing however, prices are firmer, and it is thought trade journals will maintain their postings of—

4⅝¢—4¾¢ on below 62 octane
5½¢ on 63/70 octane.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Jun 1 1935
Perfect Oil Corporation"

5274 GOVERNMENT EXHIBIT NO. 692.

June 22, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company,
Milwaukee, Wisconsin.

Dear Mr. Maguire:

The crude situation is in splendid shape, with the exception of Michigan and California. I understand some of the surplus crude in the Michigan area has been purchased, and the situation relieved in that area.

Even with very poor weather conditions and the 1¢ Federal tax bug-a-boo, the tank car market has shown no particular weakness.

Small quantities of gasoline from East Texas, have shown up this week for Northern movement, but this gasoline has found a home, at this writing.

I expect 26/70 Natural to advance in price next week.

Kerosene and burner oil prices continue to weaken and I expect lower prices to materialize.

Yours very truly,
W. P. Jacobi

Copy for Perfect Oil Corp., Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Jun 24 1935
Perfect Oil Corporation".

5275 . GOVERNMENT EXHIBIT NO. 693.

June 28, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

The crude price continues firm, and thus far the weak spots, Pennsylvania, Michigan and California have not influenced the picture in this territory.

The tank car price of gasoline started the week, in a rather shakey condition. Purchases, at prices somewhat under the market eliminated most of the distress gasoline, which had found its way into the hands of brokers. The gasoline originated for the most part, from East Texas.

A lively gasoline demand next week is expected, to take care of the holiday requirements of jobbers. It is also thought that the Federal tax question will be settled, in the next day or two, and this should supply additional orders for refiners.

Natural as expected, firmed up slightly in price.

Burner oils are easier, and lower prices are expected.

The demand for kerosene is nil, and with stocks mounting a further drop in price of this product is anticipated. This kerosene situation will naturally depress the price of distillate and gas oil.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, president—from Tulsa office.

Date Stamp
"Received
Jul 1 1935
Perfect Oil Corporation"

5276 GOVERNMENT EXHIBIT NO. 694.

October 4, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Generally speaking, the situation in the Mid-Continent field is unchanged from last week.

California and Rodessa continue the only threats on the horizon.

Demand for tank car gasoline is slowing up to some extent, and small refiners continue their policy of keeping their storage clean. Tank car prices are holding, but price concessions are being made, when buyers can furnish shipping instructions with orders.

Reports of new orders for natural gasoline being placed by the Italians for aviation use, are heard.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Oct 7 1935
Perfect Oil Corporation"

5277 **GOVERNMENT EXHIBIT NO. 695.**

October 18, 1935.

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

With the exception of California, conditions in all producing areas are in excellent shape. California is still producing at the rate of 640,000 barrels per day, instead of 590,000 barrels which was the figure the emergency advisory committee recommended.

For the first time in a year or two it is impossible to obtain gasoline for interstate shipment out of the East Texas field. All legal gasoline in that area is contracted for until November 1.

Many buyers who have depended on East Texas as a source of supply for their gasoline requirements, have had to seek suppliers in other areas for the past ten days.

Natural gasoline is a little more plentiful, and the price in Texas is off somewhat, due to lack of demand. It is thought however, that colder weather will remove the surplus.

Burner oil supplies are at a low level in this area. A spell of cold weather could advance prices quickly.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Oct 21 1935
Perfect Oil Corporation"

5278 GOVERNMENT EXHIBIT NO. 696.

Tulsa, Oklahoma
November 2, 1935.

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Despite the fact that crude oil production in this country, is running 400,000 barrels per day over the same period last year, no particular concern is being expressed by the various trade journals, or other authorities.

In California the old schedule of prices for crude has been restored, despite the fact that California is producing 650,000 barrels per day.

Michigan and Rodessa gasoline is now appearing on the market, and at this time of the year this gasoline is a factor, as it is mostly 3rd grade and of course at this season, the demand for 3rd grade is decreasing.

As long as East Texas prices remain in line, it is thought present tank car prices for gasoline will hold in Chicago and in the Mid-Continent field.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Nov 4 1935
Perfect Oil Corporation"

5279 **GOVERNMENT EXHIBIT NO. 697.**

November 15, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Still see no reason for all the newspaper talk pointing to the possibility of a crude oil price advance.

Tank car demand for gasoline has diminished. Refiners, particularly in East Texas, are making too much gasoline for the market to absorb, and offerings are plentiful in East Texas, Oklahoma and elsewhere in the Mid-Continent.

The products in demand at present are 26/70 Natural, burner oils, and Bright stocks.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Nov 18 1935
Perfect Oil Corporation"

5280 **GOVERNMENT EXHIBIT NO. 698.**

November 22, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Even with the increase of 15¢ per barrel in Pennsylvania crude, there are many here that do not feel very enthusiastic.

First of all, there is more gasoline being offered than the market can absorb. Tank car prices are weaker, and if new buying doesn't develop, a reduction of ¼-½¢ in the 3rd grade and 63/70 prices will be in order.

Small refineries are apparently having no difficulty in obtaining all the crude they want, so there can be no serious thought given to a crude oil price advance here, at least until some time next Spring.

Demand for refinery gasoline has fallen off due to unfavorable weather over the Standard of Indiana territory.

Natural gasolines are in big demand. I believe the price of 26/70 could be advanced ½-¾¢ if the manufacturers wished to advance it. I understand they are endeavoring to hold it down to 4¢. Their idea in so doing is to encourage the use of natural, and to avoid a big price reaction later.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Nov 25 1935
Perfect Oil Corporation"

5281 GOVERNMENT EXHIBIT NO. 699.

Tulsa, Oklahoma
November 29, 1935

Mr. A. G. Maguire,
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Situation unchanged in general except that Continental and Carter have apparently uncovered new producing areas in Southern Oklahoma. These discoveries should greatly increase Oklahoma output of crude oil over the next few years.

As expected, rumors relative to a crude oil price advance in the Mid-Continent field have disappeared entirely.

Gasoline—The industry will be quite fortunate in my opinion, if present prices for tank car gasoline hold, over the next few months.

At the present time the tank car price structure is weak, with surplus gasoline available in East Texas.

Naturals are the only gasolines in good demand.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, Pres.—from Tulsa office.

Date Stamp
"Received
Dec 2 1935
Perfect Oil Corporation"

5282 GOVERNMENT EXHIBIT NO. 700.

December 13, 1935

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—The increase in crude oil prices in California of approximately 10¢ per barrel precipitated the usual comments here about an advance in the price of Mid-Continent crude oil. I continue to see no reason for a price advance here. There is still too much crude and refineries, large and small, seem to be getting all the oil they want.

California production is now at a five year peak.

Gasoline—The East Texas field is well supplied with orders for interstate movement. The situation, therefore, in this area is good.

Third grade gasoline is priced once again at 4¾¢ Group 3; trade papers having posted this price in the past few days. Demand, however, is not so good.

Natural Gasoline and burner oils are quite active.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Dec 16 1935
Perfect Oil Corporation"

5283 **GOVERNMENT EXHIBIT NO. 701.**

January 3, 1936

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Announcement that the Liberty Pipe Line Company of Houston had raised East Texas crude 25¢, created some excitement here, until it was found that this pipe line company purchased little or no East Texas oil.

Conservative observers can see little chance of a crude advance until Spring. Small refiners have no difficulty in getting all the oil they want, and too much crude is still being run for this season of the year.

Gasoline—Demand for gasoline, particularly 3rd grade is almost nil.

All marketing companies in this territory report a decided trend from 3rd grade to Regular and Ethyl grades.

Natural Gasoline is easier, and the 26/70 price is expected to go to 3¼¢.

Burner oils continue in good demand, but I do not expect prices for these oils to go higher.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg, President—from Tulsa office.

Date Stamp
"Received
Jan 6 1936
Perfect Oil Corporation"

5284 GOVERNMENT EXHIBIT NO. 702.

January 11, 1936

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—The advance of 15¢ in East Texas crude and 10¢ in Oklahoma crude this week was hardly expected to materialize this soon.

With the 60 to 90 days of poor motoring weather before us, the question of higher tank car and service station prices must now be met. I look for tank car and service station prices to advance about ½¢ over present levels to take care of the 10¢ advance in Mid-Continent crude. These advances should occur next week.

It will then be up to the industry to hold these advances until the Spring demand for gasoline starts.

Natural Gasoline demand has improved and it is expected that the downward trend on 26/70 has been checked.

Burner Oils continue in excellent demand. There is some talk about further fractional advances in burner oil tank car prices, both here and in Chicago.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Oiberg President—from Tulsa office.

Date Stamp
"Received
Jan 13 1936
Perfect Oil Corporation"

5285 GOVERNMENT EXHIBIT NO. 703.

January 24, 1936

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—The Standard of California Company have initiated a new policy. Producers are being offered a 15 to 20 cent advance in price, if production is curtailed to 537,000 barrels per day. This means a reduction in output of about 140,000 barrels per day.

Field operations in all areas continue at a high level.

There is plenty of crude apparently, for the small plants here, and of course the large companies are getting all they want.

Gasoline—Demand is poor, and small refiners are beginning to cut the tank car prices. Gasoline from East Texas, and Rodessa is hurting the market, at the moment.

26/70 Natural advanced to 4¢ in the Mid-Continent as expected, but I look for no further advance, at present.

Burner oils are active due to the cold weather in the North and refiner's excess stocks are expected to be cleaned up shortly.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg Pres.—from Tulsa office.

Date Stamp
"Received
Jan 27 1936
Perfect Oil Corporation"

5286 GOVERNMENT EXHIBIT NO. 703A.

February 7, 1936

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Progress on curtailment is reported in California.

The Rodessa field in Louisiana continues to extend itself. Six new wells were completed last week. Thus far refineries running on Rodessa crude have not started to sell gasoline in the Standard of Indiana territory in quantities large enough to affect tank car quotations.

Gasoline—There is little or no demand for gasoline in tank cars.

Refiners are reducing runs and building up their gasoline stocks. There is nothing else to do.

The movement of burner oils and fuel oils is greater than any one looked for and will continue as long as the cold wave lasts, or until tanks are dry. Incidentally, many refiners in this field have cleaned out all their storage and are behind on orders.

Natural Gasolines are offered, particularly the 26/70 grade, and a lower price may be posted due to the inactive market on refinery fuels.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg President—from Tulsa office.

Date Stamp
"Received
Feb 10 1936
Perfect Oil Corporation"

5287 GOVERNMENT EXHIBIT NO. 704.

February 15, 1936

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Encouraging news comes from California. Daily production is below 600,000 barrels per day, for the first time since September 1935.

However, new wells in Oklahoma, Kansas, Texas and Rodessa, give indications that there will be "plenty of oil" to go around in the Mid-Continent area.

Gasoline—Demand for gasoline is nil. It just can't be sold, and refiners are all running their make to storage.

Burner oils are at a premium. Sellers who have any can name their own prices. Kerosene is being bought, and shipped on No. 1, 2, and 3 orders.

The next thing will be a car shortage, as the railroads are not returning empty cars, due to the heavy snows, and resultant tie-ups.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg President—from Tulsa office.

Date Stamp
"Received
Feb 17 1936
Perfect Oil Corporation"

5288 **GOVERNMENT EXHIBIT NO. 705.**

February 21, 1936

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Due to their inability to sell gasoline, some of the smaller refineries in this area are shutting down temporarily. The crude used by these plants, will have to be stored, or sold elsewhere.

Production in California is down to 584,000 barrels per day, the operators having failed thus far to reach the 537,000 barrel daily production figure, set by the major companies as the objective before a crude oil price advance, would be posted.

Rodessa continues to bring in new producers, and that field appears to be extending well into Cass County, Texas.

Gasoline—Cold weather continues to hold gasoline demand to a minimum.

Prices have eased off, particularly on natural gasoline, as refiners, as well as jobbers, find no use for naturals, when they are not moving any refinery fuels.

It is expected that U. S. M. and 63/70 grades will drop ⅛¢ to ¼¢ in price next week.

Burner oils are almost unobtainable here, and to make matters worse, the railroads are not returning empty fuel oil cars.

A little warm weather in the North would be most welcome to us down here, for two reasons; one, your requirements for burner oils would be less, and two, our gasoline demand would pick up.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg President—from Tulsa office.

Date Stamp
"Received
Feb 24 1936
Perfect Oil Corporation"

5289 **GOVERNMENT EXHIBIT NO. 706.**

March 13, 1936

Mr. A. G. Maguire, Chairman
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Cuts in runs by small refiners in the Mid-Continent field have provided small surpluses of crude here and there.

The demand for East Texas oil is as keen as ever, with some smaller refiners bidding up premiums, and taking connections away from the larger pipe line companies.

Comforting news comes from the Governor's office of the State of Louisiana. The statement is made that allowable production in Rodessa will be held to 400 barrels per well during March, a reduction of 100 barrels per well.

Gasoline—Demand continues to improve slightly, and it would appear that refinery prices for this area, have seen their lows. Considerable satisfaction is expressed over this fact, due to the most unfavorable winter for gasoline consumption, that the industry has seen in years.

East Texas distress gasoline is cleaned up for the most part, and a 5¢ price f.o.b. East Texas for U. S. Motor in tank cars is expected next week.

Natural gasoline demand is somewhat improved also. No upward change in price is expected for a week or two. A one-eighth cent advance would be in line at that time.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg President—from Tulsa office.

Date Stamp
"Received
Mar 16 1936
Perfect Oil Corporation"

5290 **GOVERNMENT EXHIBIT NO. 707.**

Mr. A. G. Maguire, Chairman April 24, 1936
Wadhams Oil Company
Milwaukee, Wisconsin

Dear Mr. Maguire:

Crude Oil—Purchases of extensive producing properties in the Rodessa field by two of the larger companies has removed some of the uneasiness from the minds of market observers, as to that particular area.

There is too much crude oil being produced however, and production for the country is at a new peak of 2,945,000 barrels per day.

Gasoline—While gasoline tank car prices are holding, that is about all that can be said. Demand is still very slow, and weather conditions most unfavorable.

Natural Gasoline prices are lower in Texas, and the 26/70 price in Oklahoma may decline ¼¢ in sympathy with the Texas price at 2¾¢.

What we need out here to bolster up the whole situation, is some good weather.

Yours very truly,
W. P. Jacobi

Copy for Mr. A. Olberg President—from Tulsa office.

Date Stamp
"Received
Apr 27 1936
Perfect Oil Corporation"

5291 **DEFENSE EXHIBIT NO. 708.**

5292 Planning and Coordination Committee
Under the Code
For the Petroleum Company

The Riggs National Bank
Washington, D. C.
15-3

6 June 18, 1935 Check No. 1551
Pay $$$366 Dol's25cts $ 366.25
To The
Order
Of W. P. Jacobi

Fred Van Covern
Assistant Treasurer

(Cancelled)

5293

EXHIBIT 708-A.

Endorsements

This voucher is hereby accepted in full payment of the within account and endorsement of payee shall operate as a receipt and release accordingly, unless presented at the bank on which it is drawn within thirty days from date hereof this check is voidable at the option of the maker.

(Signed) W. P. Jacobi

Stamps:

Pay to the order of any bank, banker or trust co. endorsements guaranteed July 8, 1935 Federal Reserve Bank of 68-3 Richmond 68-3

126

Pay to the Order of any Bank or Banker Prior Endorsements guaranteed Jul 8, 1935

Federal Reserve Bank of Chicago 2-30 2-30

5294 **EXHIBIT 708-B.**

June 18, 1935 Check No. 1551

Original Check Issued For

To **$366.25**

W. P. Jacobi

Planning and Coordination Committee F-52

6/18/35 To cover Telephone exp. in connection with Code work for period ending 5/31/35. 366.25

Vouchered By H. J. Sionssat

Approved By Irwin Lamp

5295 **EXHIBIT 708-C.**

No. P & C, 1935 F-52

To W. P. Jacobi
Sundry Credits
Vouchers Audited 366.25
Cash Discount

Total

Sundry Debits

To cover Telephone exp. in connection with Code work for period ending 5/31/35. 366.25

Total

5296 **DEFENSE EXHIBIT NO. 710**

For Identification

5297 **National Recovery Administration**

Code of Fair Competition

For The

Petroleum Industry

As Submitted to the Administrator and Approved by President Roosevelt On August 19, 1933

Registry No. 711—1—21

(Cut)

United States Government Printing Office Washington: 1933

5298 1. Executive Order
2. Letter submitting code to the President
3. President's Letter to National Recovery Administrator Johnson
4. Text of Code

5299 **Executive Order**

Code of Fair Competition for the Petroleum Industry

An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Petroleum Industry, and hearings having been held thereon and the Administrator having rendered his report together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of

clauses (1) and (2) of sub-section (a) of Section 3 of the said Act have been met:

Now, Therefore, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Recovery Act, approved June 16, 1933, and otherwise do adopt and approve the report, recommendations, and findings of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved.

(Signed) Franklin D. Roosevelt.

Approval Recommended:
(Signed) Hugh S. Johnson,
Administrator.

The White House,
August 19, 1933.

5300

The White House,
August 19, 1933.

The Administrator,
National Recovery Administrator,
Washington, D. C.

Dear General Johnson: In submitting this proposed petroleum code to me, one substantial group within the industry has also submitted some proposed amendments agreeing, however, to abide by my decision as to their acceptance. You have advised me that there are some other provisions of the Code which require further consideration.

The Code, as agreed to by all its proponents, provides for a representative Planning and Coordinating Committee of the Industry. In view of the fact that we shall thus soon have a self-governing industry under federal supervision it has seemed advisable to me to approve the Code exactly as submitted in the usual manner and then to call for the advice of the Planning and Coordinating Committee to the end that, prior to the effective date of the Code, I may made a decision on these questions and on the provisions which you feel should be further considered.

In accordance with Article VII, Section 2, will you please request each of the various groups who have participated in hearings and in subsequent consideration of the Code, now to make the nominations for membership on the Planning and Coordinating Committee.

Very truly,
Franklin D. Roosevelt.

5301 National Recovery Administration,
Washington, D. C., August Nineteenth 1933.

The President,
The White House.

My Dear Mr. President: I have the honor to submit and recommend for your approval, the Code of Fair Competition of the Petroleum Industry. The Code has been approved by the Labor Advisory Board, the Consumers Advisory Board and the Industrial Advisory Board.

An analysis of the provisions of the Code has been made by the Administration and a complete report is being formulated for transmission to you. I find that the Code complies with the requirements of clauses 1 and 2, subsection (a) of Section 3 of the National Industrial Recovery Act.

I am, my dear Mr. President,

Very sincerely yours,
(Signed) Hugh S. Johnson,
Administrator.

Enclosure.

5303 A Code of Fair Competition for the Petroleum Industry

Preamble

To meet the emergency in the petroleum industry; to increase employment, establish fair and adequate wages, enlarge the purchasing power of persons related to this industry and improve standards of labor; to conserve the Nation's petroleum resources and to prevent physical and economic wastes which demoralize the national market to the detriment of consumers and producers and to restrain and avoid recurring abuses in the production, transportation and marketing of petroleum and its products which directly obstruct the free flow of interstate and foreign commerce by causing abnormal and disturbing temporary fluctuations in the supply of petroleum or its products that are not responsive to actual demand and prices and disrupt the normal flow of interstate commerce in petroleum and its products; and to prevent the growth of monopoly resulting from unfair competitive practices; and to protect the Nation from an unnecessarily wasteful depletion of this natural resource essential for the national defense and safety and the continued functioning of the Nation's transporta-

tion facilities that are dependent for operation on an adequate and economic supply of petroleum and its products and to accomplish and effectuate the policies set forth in the National Industrial Recovery Act, this code of fair competition governing the petroleum industry is adopted.

Article 1—General

Section 1. The provisions of this code shall become effective two weeks after approval thereof by the President.

Sec. 2. The term "American Petroleum Industry" includes the production, transportation, refining, and marketing of crude petroleum and its products; and is inclusive likewise of natural gasoline and the production of natural gas in conjunction with petroleum. The term "person" shall include natural persons, partnerships, associations, trusts, including trustees in bankruptcy and receivers and corporations. The word "President" shall mean either the President or any agent, employee, or agency empowered by the President to act in his stead.

Sec. 3. Such of the provisions of this code as are not required to be included therein by the National Recovery Act, may, with the approval of the President, be modified or eliminated as changes in circumstances and experience may indicate.

Sec. 4. This code is hereby declared subject to the right of the President from time to time to cancel or modify any order, approval, license, rule, or regulation issued under Title I of the National Industrial Recovery Act.

5304 Sec. 5. Agreements between competitors within the industry or the purpose of accomplishing the objectives of this code, or any of them, or for the purpose of eliminating wasteful duplication of manufacturing, transportation, and marketing facilities are hereby expressly permitted, but such agreements shall not become operative until specifically approved by the President, and suitable public notice shall have been given of such agreements. Such agreements may at any time be disapproved by the President and upon such disapproval they shall cease to be valid.

Article II

Section 1. In drilling, production, refinery and pipe-line operations, the maximum hours for clerical employees shall not exceed 40 per week and the rate of pay for each geographic division shall not be less than the minimum stated

in Section 2. All other employees in these operations, except executives, supervisors, and their immediate staffs and pumpers on "stripper" wells located so as to make relief impracticable, shall work not more than 72 hours in any 14 consecutive days, but not more than 16 hours in any two days.

To establish geographic divisions for the petroleum industry, the geographic divisions as shown by the United States Department of Labor, Bureau of Labor Statistics wage reports (October 1929) have been adopted. The minimum hourly rates for the employees above specified, other than clerical, in each of these geographic divisions shall be as follows:

	Minimum rate per hour (cents)
Middle Atlantic Division:	
New York, New Jersey, Pennsylvania	52
New England:	
Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut	52
East North Central:	
Ohio, Indiana, Illinois, Michigan, Wisconsin	52
West North Central:	
Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas	48
South Atlantic:	
Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina,[1] South Carolina,[1] Georgia,[1] Florida[1]	45
East South Central:	
Kentucky, Tennessee, Alabama,[1] Mississippi[1]	45
West South Central:	
Arkansas,[1] Louisiana,[1] Oklahoma, Texas[1]	48
Mountain:	
Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Nevada, Utah	50
Pacific:	
Washington, Oregon, California	52

Sec. 2. In market operations all employees (other than those employed in filling or service stations, garages, or other institutions which sell gasoline to the public) includ-

[1] For refinery and pipe-line work in States so marked, not more than ten percent, constituting common labor only, of the total number of employees in any plant or operation may be paid at not less than 80 percent of this minimum rate.

ing clerical, but excluding executives, supervisors and their immediate staffs, and outside salesmen shall work not more than 40 hours per week. The minimum rates for such employees in each of the geographic divisions above specified shall be as follows:

5305

	Minimum rate per hour (cents)
Middle Atlantic Division:	
New York, New Jersey, Pennsylvania	47
New England:	
Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut	47
East North Central:	
Ohio, Indiana, Michigan, Wisconsin, Illinois	47
West North Central:	
Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas	42
South Atlantic:	
Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina,[2] South Carolina,[2] Georgia,[2] Florida[2]	40
East South Central:	
Kentucky, Tennessee, Alabama,[2] Mississippi[2]	40
West South Central:	
Arkansas,[2] Louisiana,[2] Oklahoma, Texas[2]	40
Mountain:	
Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Nevada, Utah	45
Pacific:	
Washington, Oregon, California	47

Sec. 3. No filling or service station employee, nor any employee of any garage or other institution selling gasoline to the public shall work more than 48 hours per week. Nor shall any such employee receive less than $15.00 per week in any city of over 500,000 population or in the immediate trade area of such city; nor less than $14.50 per week in any city between 250,000 and 500,000 population, or in the immediate trade area of such city; nor less than $14.00 per week in any city of between 2,500 and 250,000 population, or in the immediate trade area of such city; and in towns of less than 2,500 population such employees shall

[2] For market operations in States so marked, not more than 10 percent, constituting common labor only, of the total number of employees in any plant or operation may be paid at not less than 80 percent of this minimum rate.

receive wage increases of not less than 20 percent: Provided, That this shall not require wages in excess of $12.00 per week: And provided further, That no employee shall receive a smaller weekly wage for the shorter work week than was his weekly wage on July 20, 1933.

Sec. 4. It is the purpose of the labor provisions of this code that all employees engaged in similar work in each of the geographic divisions shall be placed on the same basis of hours and receive at least the minimum earnings provided for each class of work in the industry.

To effectuate this purpose, the differentials between the rates for skilled jobs and the minimums established in this code for common labor will not be less than those existing in the industry in each geographic area on July 1, 1929; but in no case will such differential for First grade refinery stillmen be less than 45¢ per hour or for rotary drillers less than 75¢ per hour.

Sec. 5. Every person subject to this code shall insert a provision in all contracts made by him for work within the industry, whereby the contractor agrees that his employees, or those of any subcontractor, shall receive the rates designated by this Code for each respective class of work and shall not work in excess of the schedule of hours in this Code.

Sec. 6. On and after the effective date of this Code the employer in the Petroleum Industry shall not employ any person under the age of sixteen years.

5306 Sec. 7. Employees in this industry shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from interference, restraint, or coercion by employers of labor, or their agents, in the designation of such representatives or in self organization, or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection. No employee in this industry, and no one seeking employment therein shall be required as a condition of employment to join any company union or to refrain from joining a labor organization of his own choosing. Employers of labor in this industry shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the President.

Sec. 8. The provisions of this Code regulating hours of labor and wages of employees, shall be deemed violated by any device or method by which employees, as recognized in the industry on July 1st, 1933, are or are at-

tempted to be removed from such present recognized status of employees by means of drilling contracts, commission contracts, lease and agency, or any other agreement.

Article III—Production

Section 1. The President is hereby requested, after such investigation and hearing as is prescribed by, and subject to the limitations contained in, Title 1 of the National Industrial Recovery Act, to limit imports of crude petroleum and petroleum products for domestic consumption to volumes bearing such ratio to the estimated volume of domestic production as will effectuate the purposes of this Code and the National Industrial Recovery Act.

Sec. 2. Withdrawals of crude oil from storage shall be subject to approval by the Planning and Coordination Committee but for the remainder of 1933 shall be limited in the aggregate to an average not in excess of 100,000 barrels daily. Additions to storage beyond the necessary limits of fluctuations in working stocks shall be made only with the approval of the Planning and Coordinating Committee.

Sec. 3. Required production of crude oil to balance consumer demand for petroleum products shall be estimated at intervals by a Federal Agency designated by the President. In estimating such required production, due account shall be taken of probable withdrawals from storage and of anticipated imports. The required production shall be equitably allocated among the several States by the Federal Agency. The estimates of required production and the allocations among the States shall be submitted to the President for approval, and, when approved by him, shall be deemed to be the net reasonable market demand, and may be so certified by the Federal Agency. The allocations when approved by the President shall be recommended as the operating schedule for the producing States and for the industry. In any States where oil is produced on account of back allowables, total current allowables shall be reduced accordingly.

Sec. 4. The subdivision into pool and/or lease and/or well quotas of the production allocated to each State is to be made within the State. Should such quotas allocated in conformity with the provisions of this section not be made within the State or if the production of petroleum within any State exceeds the quota allocated to

said State, the President may regulate the shipment
5307 of petroleum or petroleum products in or affecting interstate commerce out of said State to the extent necessary to effectuate the purposes of the National Industrial Recovery Act and/or he may compile such quotas and recommend them to the State Regulatory Body in such State in which event it is hereby agreed that such quotas shall become operating schedules for that State.

If any subdivision into quotas of production allocated to any State shall be made within a State any production by any person, as person is defined in Article I, Section 3 of this code in excess of any such quota assigned to him, shall be deemed an unfair trade practice and in violation of this code.

Sec. 5. In any State in which no regulatory body or officer charged with the duty of allocating quotas within said State exists, and under the laws of which any person in any trade or industry within said State is required to comply with the terms of any Code of Fair Competition for such trade or industry approved under Title I of the National Industrial Recovery Act, the President may designate an agency within such State to compile quotas within said State. Such compilations, upon approval by the President shall become operating schedules for the petroleum industry within said State. If any subdivision into quotas of production allocated to any such State shall be made within the State, any production by any person as person is defined in Article I, Section 3 of this code in excess of any such quota assigned to him shall be deemed an unfair trade practice and in violation of this code; and, further, persons engaged in the petroleum industry or any branch thereof in any State may adopt a supplemental code, for that State to be effective when approved by the President, covering any matter relating to the petroleum industry not in conflict with the provisions of this code.

Sec. 6. During such periods as the production of crude petroleum in any State is within the allocation to that State, as provided in Section 3, Article III, of this code, it shall be an unfair practice within that State to buy, sell, receive in exchange, or otherwise acquire Mid-Continent crude petroleum of 36°-36.9° A.P.I. gravity during any calendar month at a price per barrel (to the nearest cent) less than that which will be determined by multiplying the average Group 3 tank car price per gallon of U.S. Motor gasoline of 60-64 octane rating during the preceding calendar month as ascertained and declared by the Federal

agency designated by the President, by the constant 18. The constant 18.5 represents the relationship, during th period 1928-1932, between the average price per barr of Mid-Continent crude petroleum of 36°-36.9° A.P. gravity and the average Group 3 price per gallon of U.S Motor gasoline of 57-65 octane rating or 58-60 U.S. Mo tor gasoline. For crude petroleum of lower or highe gravity and/or different quality and/or in different lo cality, fair and equitable differentials between the price o 36°-36.9° Mid-Continent crude petroleum, determined a above prescribed, and the prices quoted for other crud petroleums shall be observed. Each company or individ ual purchasing crude petroleum shall file a certified copy of its price schedule and subsequent price changes with the Planning and Coordination Committee. Such con tracts for the purchase of crude oil as were in existence on the effective date of this code shall not be affected by the provisions of this section during the period of the con tract: Provided, That a certified copy of each such 5308 contract is filed with the Planning and Coordination Committee within thirty (30) days of the effective date of this code. Such contracts, however, may not be renewed except with the approval of the Planning and Coordination Committee.

(a) For a test period of not to exceed ninety days, the President may prescribe the base price of the gasoline described in Section 6 of this Article to which said constant shall be applied and, at the end of said period the President may revise the formula set forth in said Section 6 or add such additional formulae relative to the wholesaling and retailing of petroleum and its products in such manner as in his opinion may be necessary to effectuate the purposes of the National Industrial Recovery Act. If and whenever the President shall prescribe a base price for gasoline then it shall be an unfair trade practice to buy, sell, give or receive in exchange or otherwise dispose of or acquire such gasoline at a lower price.

Sec. 7. Wild-catting shall not be prohibited because the future maintenance of the petroleum supply depends on new discoveries and new pools, but the shipment of petroleum or the products thereof in or affecting interstate commerce which was produced in a new field or pool which is not developed in accordance with a plan approved by the President is unfair competition and in violation of this code. For the purpose of this code a new field or pool is one discovered after date of approval of this code and in which ten producing wells have been completed

Article IV—Refining

Section 1. To achieve greater accuracy in balancing production and consumption, to prevent the injurious effect upon interstate commerce of an unbalanced accumulation of gasoline inventories in any part of the country, and to facilitate equitable access of refiners to the allowable supply of crude oil, the Federal Agency designated by the President shall divide the country into eight refining districts and shall suggest a proper relationship between inventories of gasoline and sales thereof for each district.

Sec. 2. The Planning and Coordination Committee shall appoint subcommittees for each refining district. Said subcommittees shall call the attention of refiners within their respective districts to the existing and recommended ratios between gasoline inventories and sales within said districts. If any refinery claims that inequities exist in the availability of supplies of crude oil it shall make complaint to the subcommittee for the district within which it is situated. Said district subcommittee shall endeavor to adjust such controversy; if it cannot do so, it shall refer such complaint to the Adjustment Committee of the Planning and Coordination Committee. The Adjustment Committee, after proper statistical study of the ratio between claimant's inventory and sale, and upon recommendation of the Planning and Coordination Committee, shall hold public hearings, upon due notice, with a view to abitration.

Sec. 3. Should any refiner have an inadequate supply of crude oil available from current purchases, within economic transportation limits then he may withdraw or purchase from storage such oil as may be necessary to make up the deficiency. In such cases a special report shall be made by such refiner to the subcommittee, which may prohibit further withdrawals by providing the deficiency 5309 from current sources at competitive prices. In the event of such purchase from storage then it shall not be an unfair trade practice for the owner of storage oil to make such sale.

Sec. 4. The storage of gasoline in amounts greater than is required to provide for the necessary fluctuations in working stocks and to meet the variation resulting from seasonal demand as determined by the Planning and Coordination Committee, is an unfair trade practice and is prohibited.

Article V—Marketing

Rule 1.—The provisions of this Code relating to transactions of refiners, distributors, jobbers, or wholesalers with retailers and others selling or consigning petroleum products to consumers shall apply to all accounts, of any description, under which refiners, distributors, jobbers, or wholesalers sell their products or cause their products to be sold to consumers or to retailers, or to others selling petroleum products to consumers.

Rule 2.—Whenever any merchant or vendor of any and all types of merchandise offers for sale at wholesale or retail motor fuels, motor lubricants, motor gasoline, or naphtha of a petroleum nature he shall, insofar as his business pertains to these products, be bound by the regulations of this Code.

Rule 3.—All refiners, distributors, jobbers, and wholesalers shall conspicuously post at each point from which they make deliveries, and at places there readily accessible during business hours to the public, all prices fo which naphtha, gasoline, motor fuel lubricating oil, grease, kerosene, and heating oils are sold.

With the exception of sales made directly by refiners, all such prices shall remain in effect for at least twenty-four (24) hours after they become effective. Refiners must post for twenty-four (24) hours the prices for all sales made the previous day. The posting shall include the following:

The prices for all classes, types, methods, and quantities of deliveries, except those under previously executed contracts, being made from the place where the price is posted, a schedule of all discounts offered and the terms thereof and a statement of all terms as to freight rates and deliveries. If different prices are offered to different classes of buyers, such prices shall be separately posted. The posted prices shall include, among others, the prices for spot sales. When prices are posted for deliveries in tank wagons or tank trucks, the posting shall describe the area to which the prices apply. All sales shall be made at the posted prices applicable thereto, and no departure shall be made from the prices, schedule, or discounts or from the terms posted applicable to any such sale.

All retailers, and others who sell consumers, shall conspicuously post at the place from which delivery is made, and at places there readily accessible during business, hours to the public, one price at which each brand, grade,

or quality of naphtha, gasoline, motor fuel, lubricating oil, grease, kerosene, and heating oil are sold. All retailers and others who sell consumers, unless prevented therefrom by applicable law, shall separately post in the same manner all tax they are required to pay or collect because of the sale of naphtha, gasoline, motor fuel, lubricating oil, 5310 grease, kerosene, or heating oil. All prices posted shall remain in effect for at least twenty-four (24) hours after they are posted.

All sales shall be made at the posted prices applicable to the brand, grade, or quality of the commodity sold.

Coupon books or other scrip of any nature, if used, shall be sold and redeemed at their face value without any discount.

No one shall make any deviation from his posted price by means of rebates, allowances, concessions, benefits, scrip books, or any other device whereby any buyer obtains any naphtha, gasoline, motor fuel, lubricating oil, grease, kerosene, or heating oil at a net lower cost than the applicable posted price; except that commercial consumers may secure gasoline, motor fuel, and other oils, on contract quantity basis under conditions established by the Planning and Coordination Committee.

The provision of all previously executed then existing contracts regarding price will be available for inspection upon the direct request of any competitor, unless such request shall be made for the purpose of unfairly obtaining information, in which event the decision whether such contract shall be made available shall be made by the authority, committee, or commission provided in Rule 4 of this Article, or such agency as it may designate.

On a change in the posted price, no adjustments, allowances, credits, or refunds shall be given to any buyer on deliveries already made.

Abnormal deliveries in anticipation of price advance and acceptance of orders for subsequent deliveries at prices effective before advances are prohibited.

Rule 4.—Refiners, distributors, jobbers, wholesalers, retailers, and others engaged in the sale of petroleum shall not sell any such refined petroleum products below cost of manufacturing or importation into the State where offered for sale, plus reasonable expenses in the cost of marketing as observed under prudent management, fixed taxes and inspection fees by the Federal or State Government, or any political subdivision thereof, provided, however, that any person is permitted to meet competition in violation of this rule concerning which he has made complaint to the Plan-

ning and Coordination Committee, or any authorized agency thereof, but only pending action thereon.

An authority, committee, or commission delegated by the National Recovery Administration for such purposes shall receive complaints of violation of this rule and make such investigation and/or hold such hearings as it deems necessary to determine whether the prices complained of are in violation of this rule.

Rule 5.—The schedule of credit attached hereto marked Appendix "B" is hereby adopted by the petroleum industry as a uniform basis of credit to be applicable to all deliveries made after the effective date of this Code. The granting of a longer term of credit or a larger rate of discount by any refiner, distributor, jobber, wholesaler, or retailer than that allowed by this schedule shall constitute an unfair method of competition.

Credit conditions of contracts made prior to the effective date of this Code are excepted from the provisions of this rule.

Rule 6.—Inasmuch as there are firms and corporations in the petroleum industry who severally or through firms and corporations owned or controlled, constitute and comprise a complete or integrated unit in such industry or produce and refine petroleum and market the products manu-
5311 factured therefrom, the business thereof shall be so conducted that the several branches of this industry, viz; producing of petroleum, refining, and marketing of refined products may be carried on upon a profitable basis and that no one or more of the said branches shall obtain or receive excessive or disproportionate gain or profit therefrom to the exclusion of any other branch of this industry.

Rule 7.—Refiners, distributors, jobbers, wholesalers, or retailers shall not hereafter sell, lease, loan, or otherwise furnish to consumers of petroleum products or to anyone engaged in the sale of petroleum products at retail, any pumps, tanks, air compressors, greasing equipment or guns, lubsters, or other equipment or accessories (excepting only pump globes and the usual advertising signs, for the storage, display, vending, delivering, or consumption of petroleum products, except as otherwise provided in paragraph 3 of this rule. Notwithstanding the prohibition hereinabove contained, any cooperative society, association, or corporation of the type described in Rule 29 of this Article shall be permitted to purchase for cooperative distribution to any member or members thereof, equipment of the kind herein-

above described, intended for exclusive use by such member or members.

If equipment of this kind, type, or description hereinbefore mentioned now in operation becomes damaged, destroyed, or worn out, it shall not be replaced by any refiner, distributor, jobber, or wholesaler.

The equipment of the kind, type, or description hereinbefore mentioned, furnished, loaned, or leased before June 15, 1933, by any refiner, distributor, jobber, or wholesaler to or installed with any retailer or consumer shall, at the expiration of any contractural relation, and on the request of such retailer or consumer, be sold by such refiner, distributor, jobber, or wholesaler to such retailer or consumer, or, in the absence of a sale of such retailer or consumer as herein provided, shall be sold by the refiner, distributor, jobber, or wholesaler, who has made the loan, to any other refiner, distributor, jobber, or wholesaler who is about to begin supplying petroleum products to such retailer or consumer, on the request of such other refiner, distributor, jobber, or wholesaler at the original invoice price plus actual cost of installation, less a depreciation of 15% per annum, but in no event at a price lower than that fixed in the schedule hereto attached, marked Appendix "A". In the event of a purchase as herein provided by such other refiner, distributor, jobber, or wholesaler, such equipment may be loaned, leased, or licensed to the retailer or consumer at such location by any new supplier subsequently acquiring title thereto.

This rule does not apply to the sale of equipment by the manufacturer thereof where such sale is not conditioned upon the purchase of use of petroleum products. This rule does not apply to special equipment used in connection with the sale and distribution of propane, butane, and other liquefied petroleum gases.

Rule 8.—Refiners, distributors, jobbers, wholesalers, or retailers shall not construct, repair, lease, loan or furnish driveways, buildings, canopies, air compressors, grease lifts or pits, grease equipment, grease guns, air towers, light poles, flood lights, material for driveways, buildings, or canopies, or any other equipment of any character whatsoever in connection with service stations or the stor-
5312 age, display, or sale or consumption of petroleum products (excepting only pump globes and the usual advertising signs and except as provided in Rule 7 of this Article) for or to anyone engaged in the sale or delivery of petroleum products to consumers or for or to consumers.

Nothing contained in Rules 7 and 8 of this Code shall prohibit refiners, distributors, jobbers, or wholesalers or retailers from installing at or furnishing or equipping with any of the devices mentioned in Rules 7 and 8 any station or place where petroleum products are sold to consumers, which station or place is owned, in fee by such refiner, distributor, jobber, or wholesaler, or held by such refiner, distributor, jobber, or wholesaler under a valid and binding lease, and at the time the lease was executed the leased premises were not improved with any building or other facility or equipment for the sale or storage of petroleum products, or held by such refiner, distributor, jobber, or wholesaler under a valid and binding lease for a period of at least five years, which lease provides for a substantial rental not determined by the volume of petroleum products sold at the premises and which does not contain any provision permitting either party thereto to cancel or terminate it or the term thereby granted before the expiration of five years from the beginning of such term.

Nothing contained in Rule 8 shall prohibit any individual from setting up a station or place for the sale and distribution of petroleum products and from furnishing his own equipment at his own expense.

Rule 9.—Refiners, distributors, jobbers, or wholesalers shall not make any repairs to any equipment of any kind owned by retailers or consumers; and shall not make any repairs to any equipment now loaned or leased to or installed with retailers or consumers which necessitates the removal from the premises of the equipment in order to effect the repairs.

Refiners, distributors, jobbers, or wholesalers may make any ordinary repairs to any equipment now loaned or leased or otherwise furnished to retailers or consumers, provided such repairs can be made without the removal of such equipment from the premises.

Rule 10.—Refiners, distributors, jobbers, or wholesalers, shall not do any painting, nor furnish any paint free, or sell any paint for or to consumers, or for or to retailers, except for pumps through which the products of the refiner, distributor, jobber, or wholesaler are sold and except for usual advertising signs. Any new supplier shall assume the obligation of painting out colors identifying previous suppliers of the retailers or of anyone selling petroleum products to consumers with some neutralizing color other than that customarily used to identify places through which the products of the refiner, Distributor, jobber, or wholesaler doing the painting are sold or dispensed. Before any refiner, dis-

tributor, jobber, or wholesaler paints over any sign or color of another refiner, distributor, jobber, or wholesaler, it shall communicate with the refiner, distributor, jobber, or wholesaler whose signs or colors are involved inquiring whether such refiner, distributor, jobber, or wholesaler has any written contract which would be violated by such proposed painting. Any refiner, distributor, jobber, or wholesaler to whom such inquiry is presented shall respond thereto within ten days from date of notice giving the information requested and if such proposed painting would violate any contract which it holds shall offer to submit the contract for inspection at its office. If such proposed painting would violate the contract so submitted, the painting shall not be done.

5313 Refiners, distributors, jobbers, or wholesalers may sell paint direct to any other refiner, distributor, jobber, or wholesaler. Nothing hereinabove contained shall prevent any cooperative society, association, or corporation of the type defined in Rule 29 of this Article, from buying paints for cooperative distribution to any member or members thereof, provided that the purchase or sale of such paints shall not be conditioned upon the purchase or sale of petroleum products.

Rule 11.—Except in such cases as constitute exceptions to the prohibitions contained in Rules 7 and 8 of this Article, refiners, distributors, jobbers, or wholesalers shall not lend, lease, or otherwise furnish any equipment of any character, whatsoever, except trade-marked pump globes and other usual advertising devices, to anyone purchasing or receiving petroleum products by tank car, tank barge, truck train, or pipe line or to anyone selling petroleum products for resale or consumption.

Rule 12.—When any pump, tank, or other device for the storage, display, consumption, handling, or sale of naphtha, gasoline, motor fuel, or lubricating oil, bears the name, trade mark, or trade name of any person, firm, association, or corporation engaged in the manufacture or sale of any such commodity, no other person, firm, association, or corporation shall deliver into or deliver for sale from such pump, tank, or other device, or any tank or other container connected therewith, any naphtha, gasoline, motor fuel, or lubricating oil, other than that manufactured, sold, or distributed by the person, firm, association, or corporation whose name, trade mark or trade name is so affixed. No person, firm, association, or corporation shall in any way knowingly be a party to the substitution of one grade or

brand of naphtha, gasoline, motor fuel, or lubricating oil, for another.

Rule 13.—Refiners, distributors, jobbers, or wholesalers, shall not loan money to retailers or others engaged in the sale of petroleum products, or to consumers, for any purpose whatsoever and shall not extend any credit to any retailer or to anyone engaged in selling petroleum products to consumers except for merchandise sold for resale. Refiners, distributors, jobbers, or wholesalers shall not pay for or reimburse to any retailer or consumer, either directly or indirectly any property tax, privilege tax, license fee or tax, inspection fee or tax, chain-store tax, or any other charge, tax or impost levied or assessed by any taxing authority upon any retailer or consumer in connection with the operation of any place or facility for the sale of petroleum products, nor advance money for the same.

Rule 14.—Refiners, distributors, jobbers, or wholesalers shall not pay rentals or otherwise pay for the privilege of displaying advertising on premises where naphtha, motor fuel, lubricating oil, grease, kerosene, or heating oil are sold.

Rule 15.—No refiner, distributor, jobber, wholesaler, or retailer or other person engaged in the sale of petroleum shall knowingly induce, attempt to induce, or assist a party to break a then existing written contract for the sale of petroleum products or a then existing lease of the premises used for the sale of petroleum products between that party and another.

No refiner, distributor, jobber, wholesaler, retailer, or other person engaged in the sale of petroleum products shall sell or deliver any naphtha, gasoline, motor fuel, 5314 lubricating oil, grease, kerosene, or heating oil to anyone knowing that such sale or delivery will violate or prevent the performance of a then existing written contract between the person to whom the sale or delivery is made and another.

No contracts in violation of this code are protected under this rule. Nothing herein contained shall preclude the sale or delivery of any naphtha, gasoline, motor fuel, lubricating oil, grease, kerosene, or heating oil to any person who justifiably refuses further compliance with any existing written contract.

Rule 16.—Lotteries, prizes, wheels of fortune, or other games of chance shall not be used in connection with the sale of petroleum products.

Rule 17.—Except by permission of the Planning and Coordination Committee, refiners, distributors, jobbers, whole-

salers, retailers, and others engaged in the sale of petroleum products shall not give away oil, premiums, trading stamps, free goods, or other things of value, or grant any special inducement in connection with the sale of petroleum products.

Rule 18.—Except by permission of the Planning and Coordination Committee, gasoline shall not be sold or delivered from tank wagons or trucks to motor vehicles except in emergency cases.

Rule 19.—Pending decision by the Federal Trade Commission as to whether the lease and agency, lease and license methods of marketing of petroleum products constitute an unfair trade practice:

(a) No new contract shall be written under either method,

(b) Any such contracts now in effect shall not be renewed for a period exceeding one year, and the cancellation privilege shall be on notice not exceeding thirty days,

(c) Provisions of rules 7 and 8 shall apply in all instances to existing lease and agency and lease and license contracts, and to renewals, as above defined,

(d) Insofar as lease and agency and lease and license agreements are concerned, the provisions of Rule 15 shall not apply to soliciting the sale and purchase of petroleum products, and

(e) Should the Federal Trade Commission fail to render a final decision on the validity of lease and agency and lease and license agreements within 60 days of the effective date of this code, the President or agency designated by him, may make a final decision prohibiting such marketing methods, or authorizing them without condition or upon such conditions as he or it may prescribe; or the President or agency designated by him may, in his or its discretion, temporarily prohibit the use of such marketing methods pending the decision of the Federal courts, or he or it may temporarily authorize such methods pending decision of the Commission and of the courts, either without condition or upon such conditions as he or it may prescribe.

Rule 20.—Refiners, distributors, jobbers, or wholesalers may own service or filling stations or sites for same and may fully equip such stations or sites and may lease, operate, or license such stations or grant a license to anyone to operate such stations for the distribution of petroleum products manufactured or sold by such refiner, distributor, jobber, or wholesaler, or such refiner, distributor, jobber, or wholesaler may employ anyone as agent of such refiner,

distributor, jobber, or wholesaler for the sale of petroleum products thereat.

5315 Rule 21.—No one shall make any delivery of naphtha, gasoline, motor fuel, kerosene, range oil, lubricating oil, or heating oil at any refinery, terminal, or bulk plant to a reseller into any wagon, truck, tank wagon, or tank truck owned or operated by or for such reseller. The term "reseller" as herein used shall not be construed to include any agent selling such commodities on a commission basis. Deliveries may be made in exchange for similar commodities received by the person making the deliveries from the person to or for whom the delivery is made.

Nothing in this rule contained shall apply to deliveries made to bona fide jobbers either in their own vehicles, or for their account, from refineries, terminals, or bulk plants.

Rule 22.—Refiners, distributors, jobbers, wholesalers, or retailers shall not render any burner service in connection with the sale of heating oils and fuel oils unless a fair and reasonable charge is made for such service, which in no event shall be less than $10.00 per year and an additional charge made for the replacement of any parts at not less than their reasonable cost. Nor shall any refinery, distributor, jobber, wholesaler, or retailer grant a commission of any kind to any person other than a regular employee of such refiner, distributor, jobber, wholesaler, or retailer in connection with such sales unless there is a contract between such refiner, distributor, jobber, wholesaler, or retailer and a dealer, distributor, or manufacturer of oil burners providing for the payment of a commission to the latter for the sale of heating oils and fuel oils to oil burner users where such sales are evidenced by signed contracts. This rule is not to be construed to prohibit advisory service.

Refiners, distributors, jobbers, wholesalers, or retailers shall not sell to consumers of heating oils and fuel oils for delivery by tank wagon or tank truck on a contractual basis for a period exceeding twelve months.

No refiners, distributors, jobbers, wholesalers, or retailers shall knowingly sell any heating oil or fuel oil to consumers in tank car lots unless said consumers have facilities for receiving and storing tank car lots.

Rule 23.—Refiners, distributors, jobbers, wholesalers, and retailers shall permit any duly authorized employee, agent, or representative of the Planning and Coordination Committee to make any inspection or examination of books, records, contracts, plants or stocks of merchandise to determine if there has been any failure to comply with the pro-

visions of this Code or any failure of the refiner, distributor, wholesaler, or retailer, or by any other person, firm, or corporation to pay any tax required to be paid because of the receipt, sale, or use of any naphtha, gasoline, motor fuel, lubricating oil, greases, kerosene, range oil, heating oil, or any other petroleum product.

Rule 24.—Evasion of taxes in the sale of petroleum products gives to evaders an undue and unlawful advantage over legitimate marketers and is unfair competition within the meaning of the National Industrial Recovery Act.

Rule 25.—The broadcasting or publishing, in any manner, of a claim, representation, or implication which leads to a false or incorrect conclusion in regard to the goods, prices, or service of the advertiser, or in regard to the goods, prices, or services of a competitor, or which lays false claims to a policy or continuing practice of gen-
5316 erally underselling competitors, is an unfair and uneconomic practice and is prohibited.

Rule 26.—In all sales of trade-marked or branded petroleum products for resale, refiners, distributors, jobbers, or wholesalers may, by contract, require purchasers to sell at prices therein designated for such resale; and may further require that if such products are thereafter sold by such purchaser for resale, that the original purchaser shall incorporate a similar provision in the contract with its purchaser for resale.

Any purchaser who agrees to sell any refined petroleum products at the prices designated therefor by the refiner, distributor, jobber, or wholesaler from whom purchased shall make all sales thereof at prices not less than those so designated.

Rule 27.—The unauthorized use by any person, firm, or corporation of the trade mark, trade slogan, insignia, or emblem of any trade association in the petroleum industry, or the assertion or claim, by advertisement or otherwise, by any person, firm, or corporation that he or it is a member of any such association when in fact not a member thereof, shall be an unfair trade practice.

Rule 28.—The provisions of this Code shall not prevent an association, society, or corporation organized or incorporated on the cooperative plan under any law or any State, territory or District of Columbia or of the United States as defined in Rule 29 of Article 5 of this Code from paying patronage dividends to the members or stockholders of such an organization in accordance with the provisions of the law, the articles of association,

articles of incorporation, and/or by the laws of such association, society, or corporation, and the payment of such patronage dividends by such cooperative organizations shall not be construed as a violation of this Code, nor shall the payment or distribution of such dividends be construed under this Code as an unfair method of competition; it being specifically understood that such dividends shall not be paid to nonmembers or nonstockholders.

Rule 29.—All Farm Cooperative Societies Association and/or Corporations organized under the laws of any state, territory, or District of Columbia or of the United States, membership in which is restricted to persons whose chief source of livelihood is farming or other cooperatives organized and existing on July 1, 1933, and which comply with paragraph 12, section 103, of the revenue act of 1932, and which distribute their patronage dividends to such members only, shall be exempted from certain provisions of the Article 5 as hereinbefore specified; provided, however, they shall be otherwise fully subject to the provisions of Article 5.

Rule 30.—This Code shall not apply to contracts actually made prior to the date on which this Code is formally approved. Upon the effective date of this Code it shall apply to all such contracts as soon as any cancellation or termination thereof can be legally accomplished.

This Code shall apply to all contracts made after the date on which this Code is formally approved, and shall apply to all renewals or extensions made after that date of contracts made prior thereto.

The provisions of this Code shall not apply to transactions between subsidiary or affiliated companies. Companies shall be considered to be affiliated when one owns the majority of the outstanding capital stock of the other, and when the majority of the outstanding capital stock of each is held by the same individual, corporation, 5317 or association, or, in the case of cooperative associations as defined in Rule 29 of Article 5 of this Code, when the local associations collectively own the majority of the outstanding stock of the central cooperative association. The parent companies owning the majority of stock in other companies shall be responsible for the observance of such subsidiary or affiliated company of the provisions of the rules of this Code.

The provisions of this Code shall not apply in respect to sales made in the United States for export to foreign countries.

Rule 31—A violation of any of the rules of this Code shall constitute an unfair method of competition.

In the event any rule of this Code, or part of any such rule, should be disapproved or held invalid, such action shall in no way affect any other rule or part thereof.

Article VI—Transportation

The transportation subcommittee of the Planning and Coordination Committee shall investigate transportation practices and rates, and shall from time to time recommend to the President such action as may be appropriate to be taken under the National Industrial Recovery Act, or otherwise.

Article VII—Organization

Section 1. The administrative machinery for the effectuation of this Code shall consist of:

(a) The Planning and Coordination Committee, representing the petroleum industry and the National Recovery Administration.

(b) A Federal Agency to be designated by the President.

Sec. 2. The Planning and Coordination Committee shall consist of fifteen members, three of whom (without vote) shall be representatives of the National Recovery Administration and appointed by the President and twelve of whom shall be representatives of the petroleum industry, and, for purposes of immediate organization, appointed by the President from nominations made by a group or groups within the industry in such manner as may be prescribed by the President.

Sec. 3. The Planning and Coordination Committee is set up to cooperate with the Administrator as a planning and fair-practice agency for the petroleum industry. Such agency may from time to time present to the Administrator recommendations which will tend to effectuate the operation of the provisions of this Code and the policy of the National Recovery Act and is charged in particular with endeavoring to promote the fullest possible cooperation with state regulatory bodies.

Sec. 4. The Planning and Coordination Committee shall

have a Chairman from its own membership and the follo
ing working technical subcommittees:

(a) Statistical Committee.
(b) Production Committee.
(c) Refinery Committee.
(d) Marketing Committee.
(e) Accounting Committee.
(f) Labor Committee.
(g) Adjustment Committee.
(h) Transportation Committee.

5318 Sec. 5. The Federal Agency designated by th
President shall make such estimates of petroleu
requirements and such recommendations, allocations, an
inventories as may be required for the effectuation of thi
Code.

Sec. 6. In order to provide necessary data upon whic
to base its studies for the purposes of this Code, the Fed
eral Agency designated by the President and the Planning
and Coordination Committee are empowered to call upo
the industry for the necessary statistical and other re
ports and any refusal to supply such reports is a violatio
of this Code.

5302 Appendices.

Appendix A

Schedule of Equipment Prices to be Used as a Basis of Purchase or Sale Between Oil Companies

Blind Gasoline Pumps

	Net Lower Than
All makes of Blind Pumps, including Duplex and all sizes 1 to 5 gallons capacity	$20.00

Visible Pumps

5-gallon dry or wet hose Visible, 10- or 15-gallon Dry Hose Visible. Dual Bowl Visible (all types), 5-gallon blind pumps with 5 or 10 Visible attachment, Remote Control Visible Air-lift Visible:	
All of the above	20.00
10- and 15-gallon Visible Web Hose, all makes.	40.00
10- or 15-gallon Visible Web Hose, electric power operated	50.00

Electric Meter Pumps

Electric Flow Meter Pumps, with or without air separator	45.00
Electric Displacement Meter pumps, without air separator	70.00
Electric Displacement Meter Pumps, with air separator	85.00

On any of the above pumps furnished in Twin type the price shall be double that of the single unit.

Gasoline Buggies or Wheel Tanks

Any capacity, identified by Underwriters Label	50.00
Same as above, not identified by Underwriters	25.00

Skid Tanks with Pumps

Skid tanks used for gasoline, kerosene, or distillate, up to 550-gallon capacity, equipped with pump, any type	25.00

Combination Gasoline or Kerosene Underground Tanks With Pumps

100- to 200-gallon capacity, with 1 gal. or rotary pump	25.00

Miscellaneous Pump Equipment

Hydraulic Systems, Drop Cylinder Jobs, Remote Control Systems, and any other special type of equipment, including airport equipment and equipment used to serve marine trade, etc., shall be considered special equipment. Purchase or sale price shall be arrived at by joint appraisal on the premises.

Underground Tanks

Underground Tanks shall be bought or sold at prices shown below, which include all installation costs,
5319 labor, materials, freight, etc., up to and including the installation of the pump itself (value of pump not included) on the following basis:

280-gallon tank	$ 35.00
550-gallon tank	50.00
1,000-gallon tank	75.00
2,000-gallon tank	100.00

These prices are for tanks of any specification, galvanized or black steel as now installed.

Capacities of tanks shown above are normal sizes and may vary 10% more or less. For each additional pump installed on one tank add $10.00 for installation cost.

Where the original installation of the tank and piping involved the removal and replacing of concrete, an allowance of 25¢ per square foot, with a maximum allowance of 60 square feet for each tank and 60 square feet for pipe trench, shall be added to price of the respective size tank.

Where tanks are installed under unusual conditions due to ordinances or regulatory restriction which resulted in excessive costs, the purchase or sale will be based on the actual cost of such installation less 10% per annum depreciation on equipment and material used plus actual labor cost;

Odd-size tanks not covered by the above classification shall be bought and sold at a price interpolated between those specified.

Underground tanks, and any part of the underground installation in connection therewith, may be repaired or replaced by the owner thereof. If replaced, the new tank shall be of the same capacity as original and the original removed from the premises or made unfit for use.

Automobile Lifts, Racks, and Pits

Automobile lifts of plunger type will be bought or sold at the invoice price date of seller's purchase, plus freight, less 15% per annum depreciation from date of invoice, plus a flat installation charge of $40.00, plus an allowance for concrete, if any, installed by owner of lift, up to a maximum of 400 square feet, based on 20 cents per square foot.

Portable steel automobile lifts, grease and wash racks will be bought or sold on invoice price date of seller's purchase plus freight less 25% for depreciation and obsolescence per annum from date of invoice. No allowance for installation cost.

Pits and nonportable racks will be bought or sold on a basis of joint appraisal on the premises at time of exchange.

Compressors

All air compressors will be bought or sold on a basis of invoice price date of seller's purchase, plus freight, less 25% per annum depreciation and obsolescence from date of invoice. No installation cost considered.

Kerosene Equipment

Kerosene equipment shall be bought or sold at the following prices for the respective sizes and classes.

60- to 65-gallon square kerosene tank equipped with pump	$12.00
110- to 112-gallon square kerosene tank equipped with pump	15.00
150- to 165-gallon square kerosene tank equipped with pump	25.00
200- to 220-gallon square kerosene tank equipped with pump	30.00

5320 Round Portable Kerosene Tanks

Equipped with pump.	
60-to 120-gallon capacity	$6.00

Rectangular Kerosene Tanks

Equipped with pump.	
60- to 65-gallon capacity	12.00

Cellar Kerosene Outfits

Equipped with stand pipe and pump.

60- to 120-gallon capacity installed	each	40.00
250- to 270-gallon capacity installed	each	70.00
50-to 120-gallon miscellaneous faucet tanks and tin pump tanks		2.00

Lubricating Oil Equipment

50-gallon round lubricating oil tank	3.00
60-gallon square lubricating oil tank	3.00
15-gallon rectangular lubricating oil tank	3.00
30-gallon rectangular lubricating oil tank	7.00
60-gallon rectangular lubricating oil tank	9.00
60-gallon 2-compartment lubricating oil tank	10.00
90-gallon 3-compartment lubricating oil tank	15.00

Any of the above lubricating-oil equipment, equipped with meter add $1.50 to the above price.

1-quart oil bottles	each	$0.10
Tray for 1-quart oil bottles		.25
1-quart barrel pumps		1.00

Miscellaneous lubricating equipment such as air systems, built-in installations, underground installations, miscellaneous portable equipment, etc., not specifically mentioned in the above lubricating-oil equipment shall be considered special and the purchase or sale price shall be arrived at by joint appraisal on the premises.

Grease Equipment

25-lb. grease bucket or kit without motor	$3.00
Same as above with motor	7.00
100-lb. grease outfit without meter	3.00
Same as above with meter	7.00

No charge for dolly in connection with the 100-lb grease outfit.

Miscellaneous grease equipment such as built-in installations, portable equipment, power guns, special portable guns, hand guns, grease gun boards, etc., not specifically mentioned in the above grease equipment shall be considered special and the purchase or sale price shall be arrived at by joint appraisal on the premises.

Where grease boards furnished by supplier carry trade mark advertising which cannot be readily effaced by any practical means, supplier shall remove from the premises.

Miscellaneous Equipment

Air and water standards, flood lights, and lamp posts or any equipment not specifically mentioned herein will be bought or sold on a basis of joint appraisal on the premises at the time of exchange.

5321 Sign posts will be considered as property of oil company and shall be removed.

All signs owned by oil company may be bought or sold by joint appraisal.

Arbitration.

In case any dispute arises over prices and values of all the respective equipment herein mentioned which do not definitely state a price, the suppliers involved shall choose an arbitrator who shall be a disinterested representative from some other oil company in the immediate vicinity, to whom the suppliers shall present their case. The decision of the arbitrator chosen shall be final.

Appendix B

Maximum Credit Terms

Credit Terms

(1) Gasoline and Kerosene Sales:

In tank-car and barge shipments....	One percent 10 days from date of shipment, net 30 days. One percent on sight draft payments.
In tank-wagon deliveries.....	Load-to-load, for net 15th proximo. No cash discount.
Service-station deliveries.....	Coupons or payments, net in thirty days.

Coupon books, in denominations of not less than ten dollars, may be sold at face value, without discount, for cash, or on credit payable net in thirty days. Coupon books issued by any company may be redeemed by any retail outlet where the trademarked products of that company are sold.

Truck-Train Deliveries from refineries and terminals or bulk plants to jobbers' bulk plants (3,500 gallons or over).	One percent 10 day from date of shipment, net 30 days. One percent on sight draft payments.
(2) Gas Oil and Fuel Oil Sales:	
In tank-car or barge shipments, or deliveries to ships' burners.	One percent 10 days from date of shipment, net 30 days. One percent on sight draft payments.
Truck-Train Deliveries:	
From refineries and terminals or bulk plants to jobbers' bulk plants (3,500 gallons or over).	One percent 10 days from date of shipment, net 30. One percent on sight draft payments.
In Tank-Wagon Deliveries:	
To resellers.....	Load-to-load or net 15th proximo.
To consumers.....	Net 15th proximo.
5322 (3) Lubricating-Oil and Grease Sales:	
In tank-car and drum-car shipments:	
Unbranded oils and greases.....	One percent 10 days from date of shipment, net 30 days or 30-60-90-day trade acceptances.
Branded oils and greases.....	One percent 10 days from date of shipment, net 30 days, or 30-60-90-day trade acceptance.
L.C.L. Shipments:	
All oils and greases.....	One percent 10 days or net 15th proximo.
Truck and tank-wagon deliveries:	
All oils and greases.....	One percent 10 days, net 15th proximo.
Service-Station Deliveries.....	Coupons or payments net in 30 days.

5323 **DEFENSE EXHIBIT NO. 712.**

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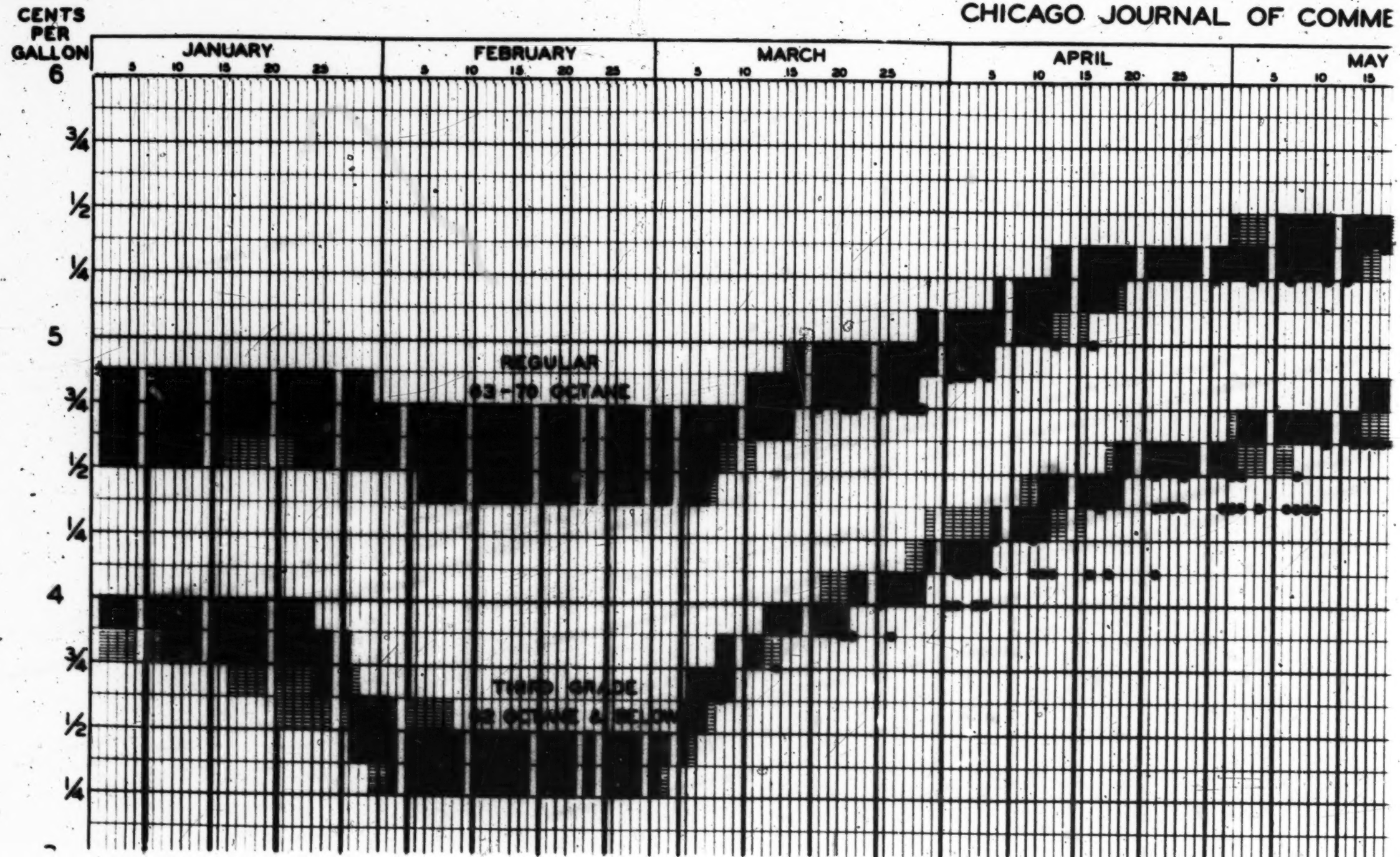

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EXCLUDING INTERMEDIATE SPECIFICATIONS
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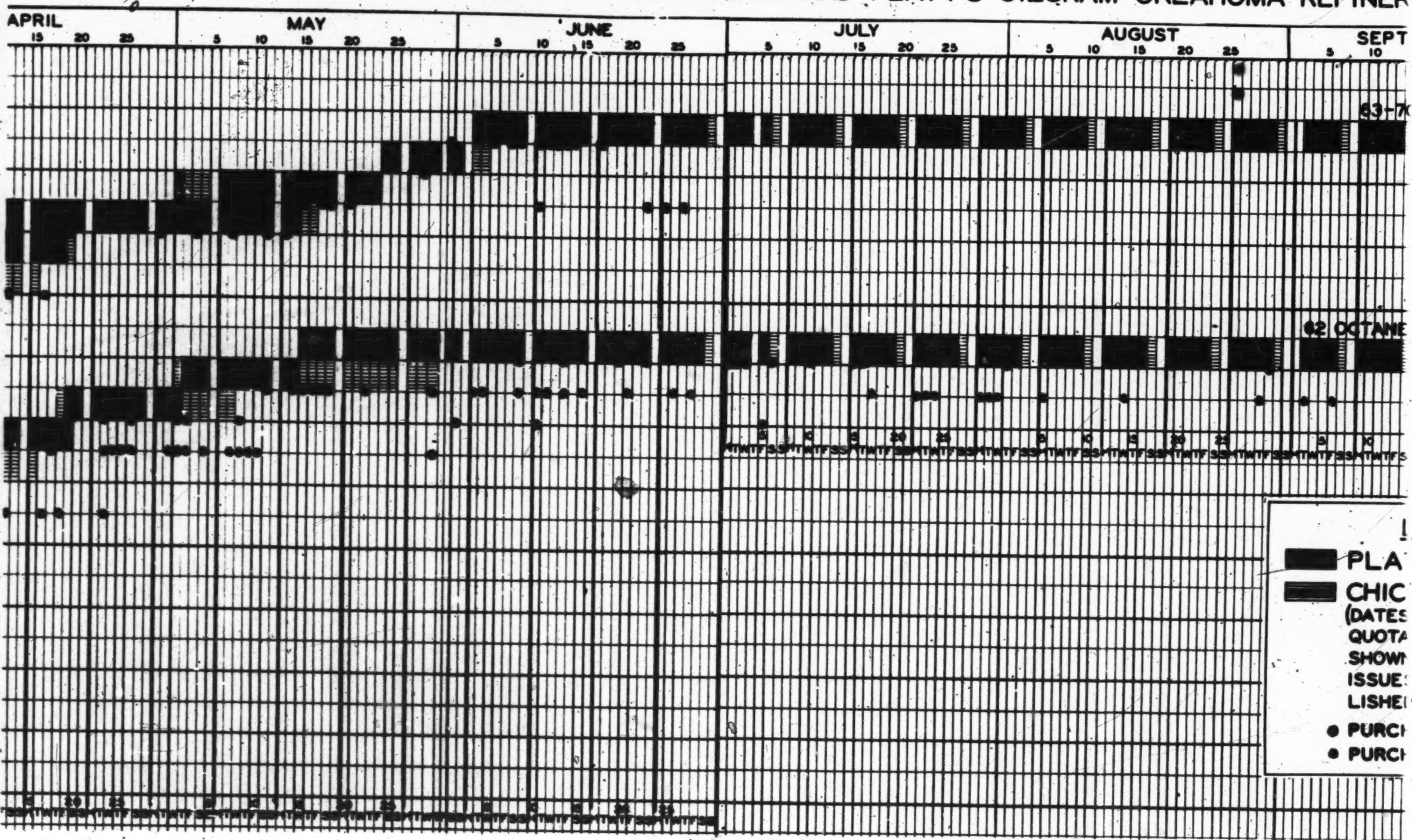

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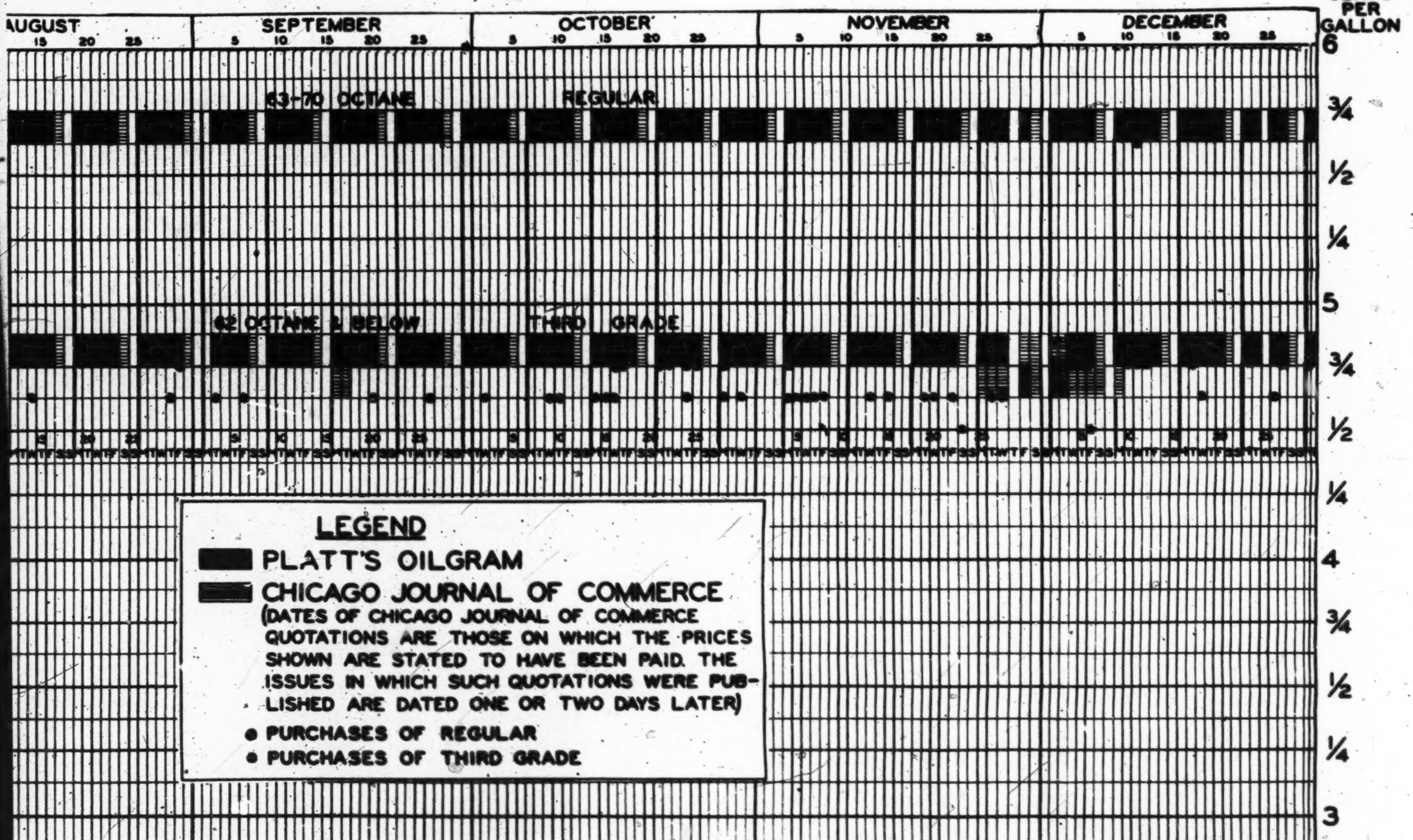

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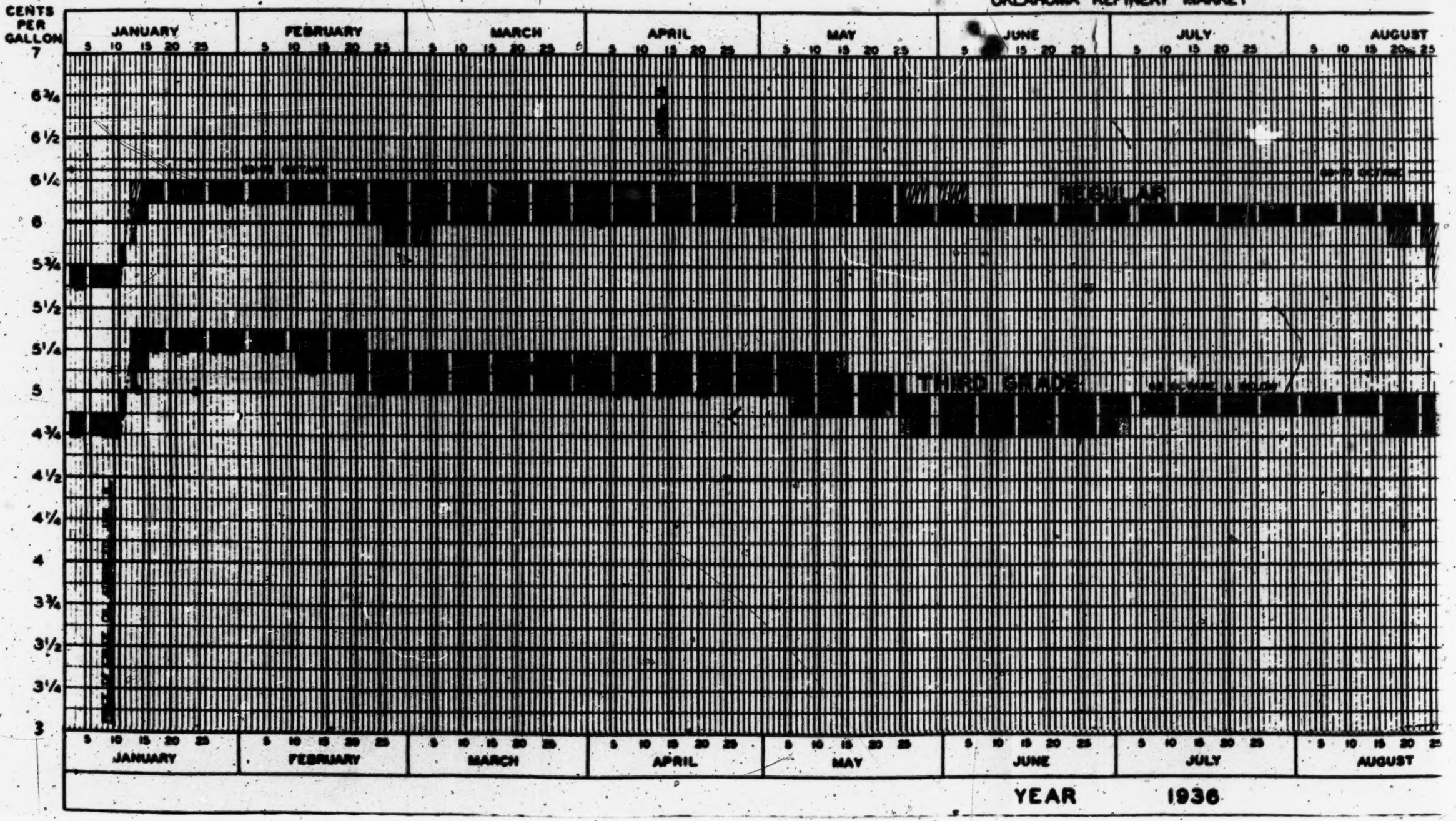


EXHIBIT NO. 713

3177

VACUUM OIL COMPANY

INCLUDING WADHAMS OIL COMPANY

INDEPENDENT REFINERS ON FLAT PRICE BASIS

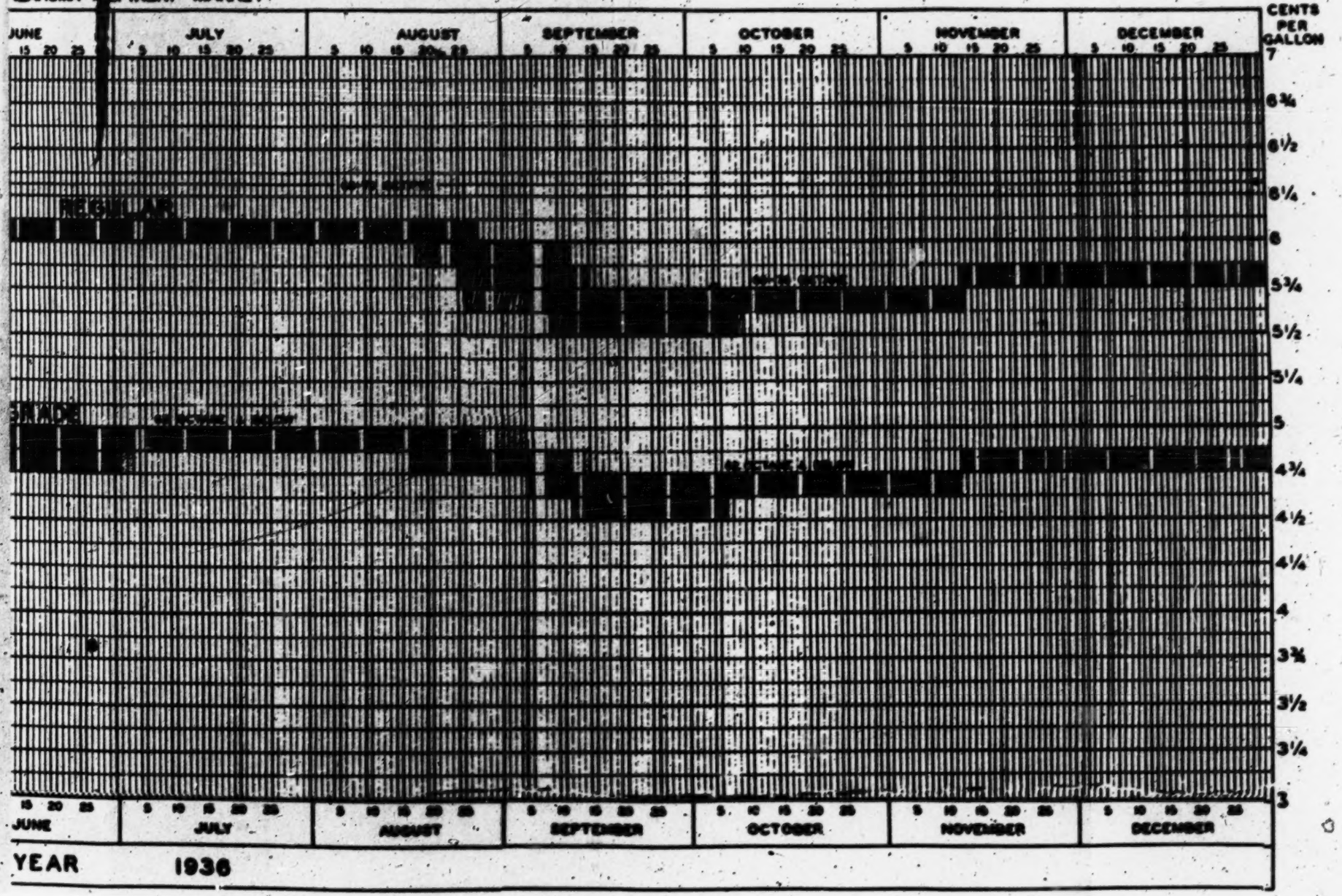
48 INTERMEDIATE SPECIFICATIONS

COMPOSITE OF PRICE QUOTATIONS

COMMERCE F.O.B. GROUP 3 OKLAHOMA

PLATT'S OILGRAM

OKLAHOMA REFINERY MARKET



5327 **GOVERNMENT EXHIBIT NO. 714.**

Stipulation

The initials "C. G." are those of Clara Gartman, who during 1935 and 1936 was tank car purchasing agent for Skelly Oil Company.

The initials "J. F. N." are those of James Nagle, and "J. F. Nagle" refers to James Nagle.

The initials "L. H. P." are those of L. H. Poland, manager of the retail stocks department of Skelly Oil Company.

A. H. Pendergrass is supervisor of the tank car order desk of Skelly Oil Company.

W. T. Atkins is Vice President of Skelly Oil Company in charge of the marketing division, Kansas City, Missouri.

Emby Kaye is Vice President of Skelly Oil Company in charge of manufacturing.

E. F. Underwood is manager of wholesale sales of Skelly Oil Company.

Exhibits 93-101, 121-128 were written by the one so indicated on the document and were received by the addressee; Exhibits 103 and 120 were written by James Nagle and received by the addressee; Exhibit 102 was received by J. F. Nagle; Exhibits 104-118 were written by Clara Gartman and sent to A. V. Bourque. Copies may be used in lieu of originals.

The authorship of any pencilled or other notations appearing on the above mentioned documents is specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5328 **GOVERNMENT EXHIBIT NO. 715.**

Stipulation

The initials "G. B. H." are those of Grace B. Henderson, clerk and stenographer in the tank car department of Phillips Petroleum Company.

The initials of "J. P. S." are those of J. P. Shaff a clerk in the tank car department of Phillips Petroleum Company.

Frank Phillips is President of Phillips Petroleum Company.

A. M. Hughes was sales manager of Phillips Petroleum Company at the time Exhibits 489, 509 and 510 were written.

H. A. Gardner is tank car sales manager of Phillips Petroleum Company.

F. L. Koopman is order clerk in the tank car department of Phillips Petroleum Company.

The initials "E. M. K." are those of E. M. Kelly of Phillips Petroleum Company.

Exhibits 490-494 and 504-506 were written by Grace B. Henderson, Exhibits 495-503 and 507-508 were written by J. P. Shaff, and all were sent to A. V. Bourque; Exhibit 516 was written by F. L. Koopman and received by A. M. Hughes; Exhibits 489, 509 and 510 were written by Koopman and received by at least A. M. Hughes and H. A. Gardner. Copies may be used in lieu of originals.

The authorship of any pencilled or other notations appearing on the above mentioned documents is specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5329 **DEFENSE EXHIBIT NO. 716.**

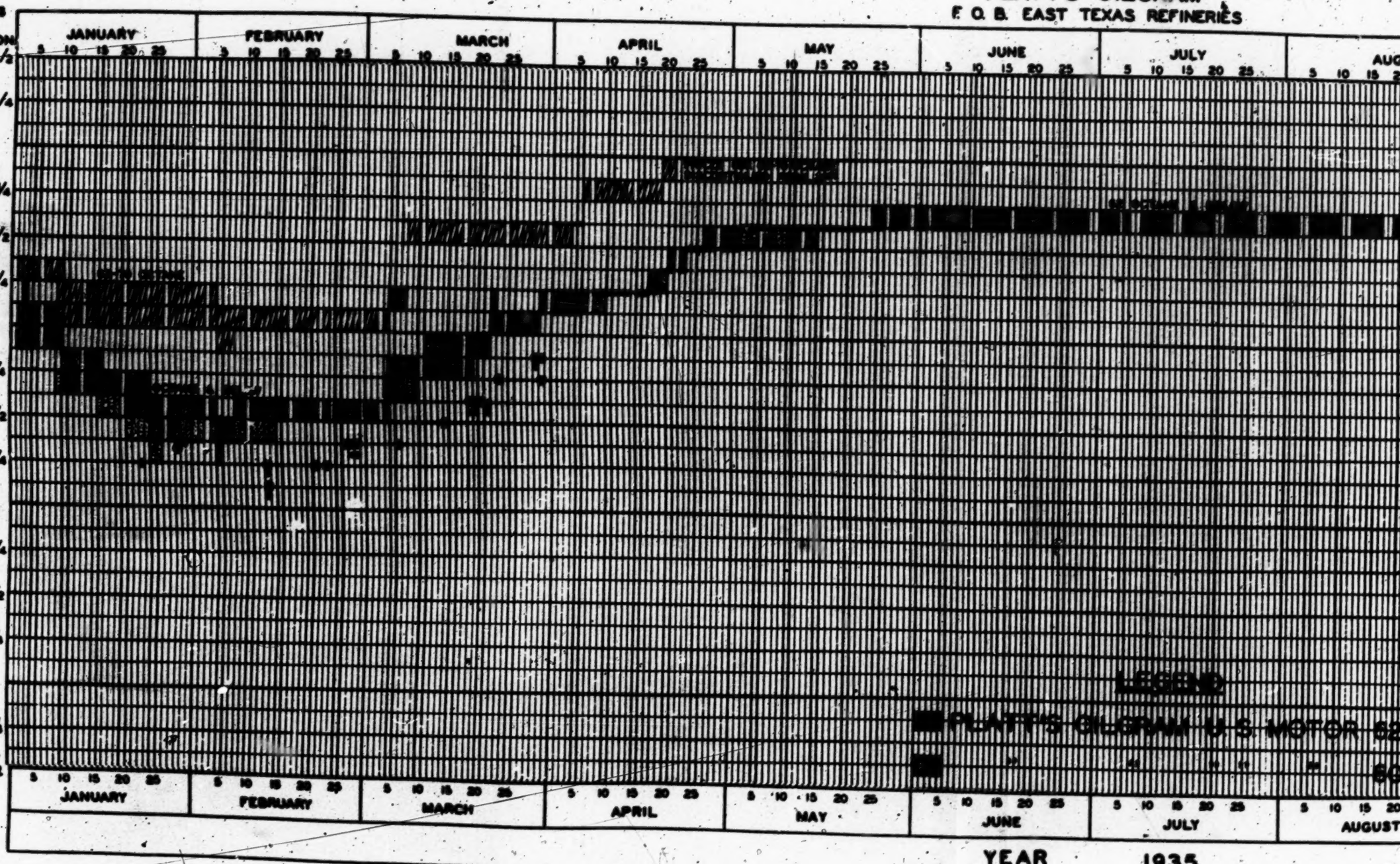
CITIES SERVICE EXPORT OIL COMPANY

PURCHASES FROM INDEPENDENT REFINERS

COMPARED WITH

PLATT'S OILGRAM

F. O. B. EAST TEXAS REFINERIES



RVICE EXPORT OIL COMPANY

EXHIBIT NO. 716

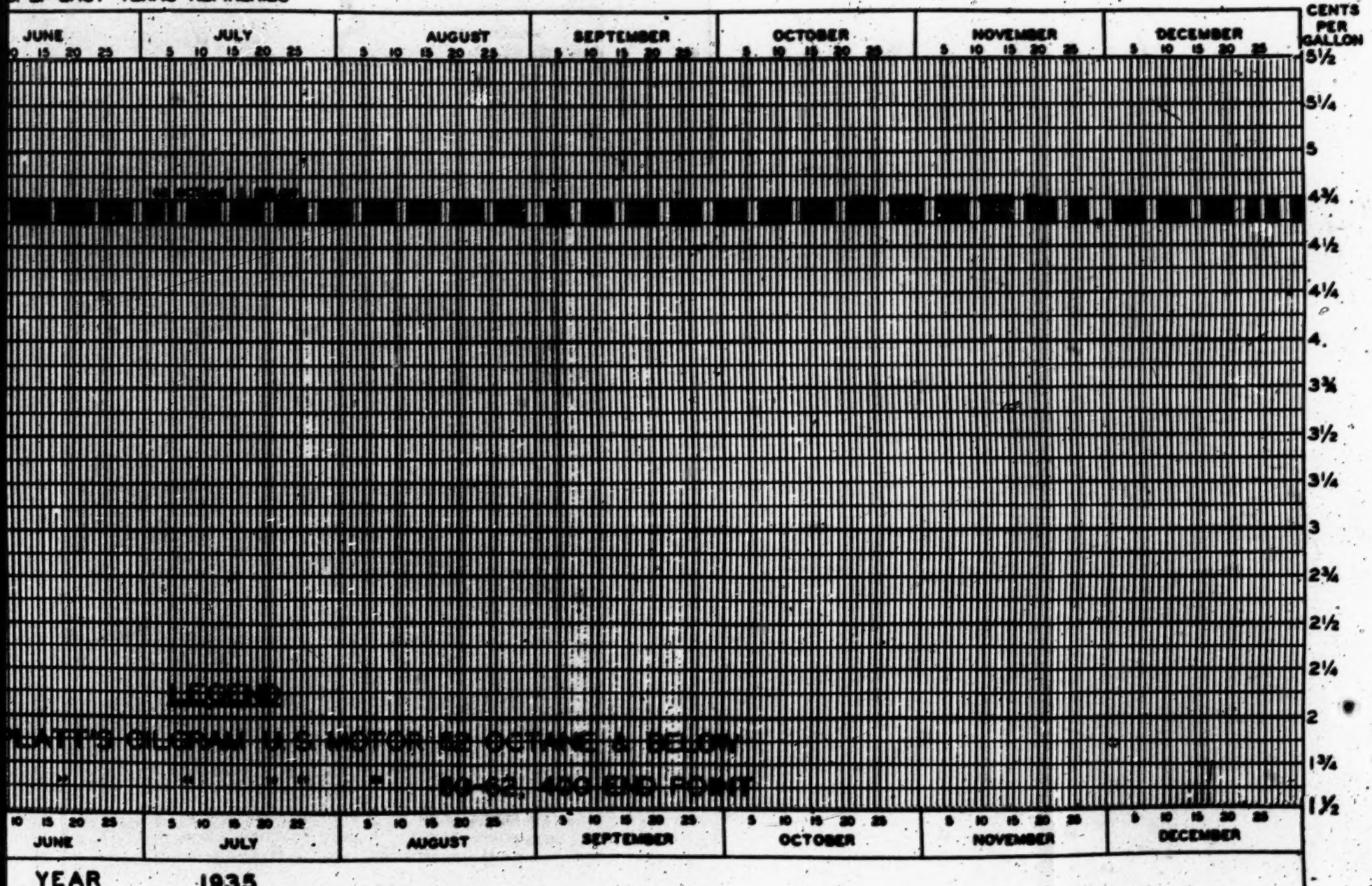
3183

FROM INDEPENDENT REFINERS

COMPARED WITH

PLATT'S OILGRAM

U. S. EAST TEXAS REFINERIES



YEAR 1935

5331 GOVERNMENT EXHIBIT NO. 717.

Stipulation.

"Morris" refers to George Morris, general manager of Retail Marketing Division of the Pure Oil Co. C. W. Snider is assistant general manager Wholesale Marketing Division of the Pure Oil Co.

Exhibits 483, 487 and 488 were written by the one so indicated on the document and were received by the addressee; Exhibit 482 was received by C. B. Watson; Exhibit 485 was written by C. B. Watson and sent to C. E. Arnott. Copies may be used in lieu of originals.

The authorship of any pencilled or other notations appearing on the above mentioned documents is specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5332 GOVERNMENT EXHIBIT NO. 718.

Stipulation.

J. D. Collins was general sales manager, Automotive Division, Tide Water Oil Company, a New Jersey corporation, in 1935 and 1936; on August 24, 1936 the assets of said New Jersey corporation were transferred to Tide Water Oil Company, a Delaware corporation, but J. D. Collins continued with the latter company without any change in his duties or official designation; on November 30, 1936 said Delaware corporation merged with and into Tide Water Associated Oil Company, a Delaware corporation; and on December 17, 1936 J. D. Collins was appointed, and he is now, a vice president in charge of automotive sales for the Tide Water Division, Tide Water Associated Oil Company.

J. W. Warner was a vice president and a director of Tide Water Oil Company, an Oklahoma corporation, in 1935 and 1936, until its dissolution November 12, 1936; on August 4, 1936, the assets of said Oklahoma corporation

were transferred to Tide Water Oil Company, a Delaware corporation; from August 24 to November 30, 1936 J. W. Warner was an assistant vice president of said Delaware corporation; and on December 17, 1936 he was appointed and he has since acted, as an assistant vice president in charge of sales for the Mid-Continent Region, Tide Water Division, Tide Water Associated Oil Company.

Exhibits 251-254, 256-260, 262, 265, 267-281, 284-287, 291-296 were written by J. W. Warner and received by J. D. Collins.

5333 GOVERNMENT EXHIBIT NO. 719.

This exhibit consists of several hundred East Texas Marketing Association bills for commissions issued to member refiners and covering shipments in tank cars to Cities Service Export Oil Company, Sinclair Refining Company, The Pure Oil Company, Gulf Refining Company, Tide Water Oil Company, Continental Oil Company, Louisiana Oil Refining Corporation and The Texas Company. The specimen printed below is a typical bill, and all the information contained on these bills, except the amount of the commission charged, has been consolidated in the following tabulation. Months indicate dates commission bills were issued, which were usually the months in which the shipments were made. The tabulation omits shipments shown on the bills to have been cancelled. Commission bills for July, September, October, November and December 1935, bear notations indicating cancellations of 37 cars, but not attributing them to individual purchasers.

#7-55 Date 6-24-35

M Johnston-Burnham Refineries, Inc.
Kilgore, Texas

In Account With
East Texas Marketing Association
Box 243, Tyler, Texas

6-24 Commission on 2 cars 400EP gasoline sold Gulf Refg. Co. this date—@ $2.50 per car $5.00

Pd
Jul 9 1935
R.N.C.

Government Exhibit No. 719.

| Refinery Shipped From ↓ | 1935 | | |

5335 **DEFENSE EXHIBIT NO. 726.**

5336 American Petroleum Institute 1935 Department of Statistics

GASOLINE CONSUMPTION IN THE UNITED STATES
(Figures are in gallons)
1935

State	January	February	March	April	May	June	July	August	September	October	November	December	Total Year 1935
Alabama	12,393,000	11,625,000	13,621,000	13,865,000	14,443,000	14,109,000	15,406,000	15,959,000	14,971,000	16,128,000	15,293,000	14,633,000	172,446,000
Arizona	6,071,000	5,713,000	6,400,000	6,611,000	6,747,000	6,977,000	7,088,000	6,966,000	6,703,000	7,131,000	7,254,000	7,333,000	80,994,000
Arkansas	10,266,000	9,673,000	10,833,000	11,098,000	10,731,000	11,578,000	13,348,000	13,705,000	12,723,000	13,044,000	13,323,000	13,057,000	143,379,000
California	103,037,000	105,194,000	112,369,000	125,762,000	122,073,000	130,630,000	148,478,000	130,771,000	136,044,000	151,493,000	125,438,000	116,920,000	1,508,209,000
Colorado	12,484,000	10,621,000	12,809,000	13,984,000	15,220,000	17,481,000	18,447,000	19,334,000	17,096,000	16,434,000	14,451,000	14,006,000	182,367,000
Connecticut	15,908,000	14,295,000	17,935,000	21,147,000	24,363,000	25,040,000	28,145,000	29,341,000	25,735,000	24,729,000	22,077,000	21,156,000	269,871,000
Delaware	2,590,000	2,461,000	3,176,000	3,547,000	4,151,000	4,495,000	4,191,000	5,155,000	4,017,000	4,102,000	4,031,000	3,482,000	45,398,000
District of Columbia	7,645,000	7,351,000	9,089,000	9,815,000	10,241,000	10,401,000	10,893,000	10,815,000	9,858,000	10,508,000	9,979,000	9,679,000	116,274,000
Florida	27,762,000	26,975,000	29,688,000	25,568,000	24,077,000	21,792,000	22,350,000	23,059,000	20,190,000	22,126,000	25,689,000	29,420,000	298,696,000
Georgia	19,559,000	19,032,000	21,772,000	21,457,000	22,583,000	21,934,000	24,098,000	24,713,000	22,472,000	24,336,000	23,929,000	22,645,000	268,530,000
Idaho	3,269,000	3,487,000	4,310,000	5,479,000	6,468,000	6,887,000	7,618,000	8,754,000	7,910,000	7,396,000	5,859,000	5,198,000	72,635,000
Illinois	67,128,000	64,459,000	78,210,000	87,571,000	92,465,000	95,412,000	104,166,000	108,917,000	96,300,000	109,407,000	90,098,000	84,116,000	1,069,243,000
Indiana	30,485,000	26,864,000	40,669,000	39,765,000	44,403,000	44,620,000	47,577,000	48,589,000	47,394,000	44,917,000	43,544,000	38,008,000	496,835,000
Iowa	24,640,000	23,144,000	31,318,000	36,091,000	40,426,000	36,405,000	40,512,000	41,821,000	40,013,000	39,257,000	35,825,000	31,700,000	421,152,000
Kansas	26,034,000	24,677,000	32,343,000	32,354,000	31,831,000	40,317,000	48,207,000	40,566,000	40,759,000	34,637,000	27,751,000	29,231,000	408,707,000
Kentucky	14,004,000	13,024,000	14,823,000	15,790,000	17,198,000	16,869,000	18,993,000	20,163,000	18,551,000	18,548,000	17,434,000	15,928,000	201,325,000
Louisiana	13,548,000	13,046,000	14,790,000	15,209,000	15,414,000	15,386,000	16,281,000	17,260,000	16,320,000	17,877,000	17,558,000	16,813,000	189,502,000
Maine	5,977,000	5,365,000	5,796,000	7,549,000	10,973,000	11,620,000	15,079,000	16,246,000	12,497,000	12,068,000	9,795,000	8,144,000	121,109,000
Maryland	13,249,000	12,612,000	16,101,000	17,935,000	19,309,000	19,334,000	21,510,000	22,120,000	19,440,000	20,212,000	18,638,000	17,205,000	217,665,000
Massachusetts	37,369,000	32,277,000	40,597,000	48,526,000	55,080,000	57,629,000	63,348,000	63,157,000	55,942,000	57,686,000	51,985,000	47,201,000	610,797,000
Michigan	55,366,000	52,729,000	64,867,000	71,519,000	80,849,000	79,014,000	85,219,000	88,039,000	78,265,000	84,142,000	77,180,000	68,055,000	885,244,000
Minnesota	23,381,000	22,328,000	31,124,000	36,211,000	39,710,000	39,886,000	45,623,000	48,840,000	44,458,000	43,668,000	37,626,000	29,914,000	442,769,000
Mississippi	10,771,000	10,668,000	9,199,000	12,506,000	11,381,000	11,082,000	12,087,000	13,870,000	13,515,000	12,826,000	14,051,000	13,164,000	145,120,000
Missouri	34,896,000	31,915,000	38,903,000	41,820,000	42,039,000	43,429,000	48,166,000	50,742,000	47,211,000	47,437,000	43,044,000	42,233,000	511,835,000
Montana	3,939,000	4,925,000	6,215,000	7,592,000	9,733,000	9,199,000	10,662,000	12,085,000	9,264,000	9,193,000	7,218,000	6,300,000	96,326,000
Nebraska	15,533,000	16,939,000	15,301,000	18,131,000	19,172,000	19,135,000	23,006,000	23,079,000	21,847,000	21,545,000	20,269,000	17,645,000	231,602,000
Nevada	1,882,000	1,808,000	1,954,000	2,560,000	2,521,000	2,790,000	3,065,000	3,190,000	3,011,000	2,740,000	2,394,000	2,249,000	30,164,000
New Hampshire	4,034,000	3,604,000	4,270,000	4,961,000	6,323,000	6,850,000	8,695,000	9,905,000	7,365,000	6,946,000	5,718,000	5,033,000	73,904,000
New Jersey	*44,800,000	*43,500,000	*49,800,000	*55,600,000	*62,000,000	*63,400,000	70,161,000	70,839,000	60,153,000	62,688,000	58,711,000	54,120,000	695,772,000
New Mexico	3,933,000	4,589,000	4,417,000	4,777,000	5,043,000	5,461,000	5,818,000	6,636,000	5,757,000	5,503,000	5,306,000	5,100,000	62,340,000
New York	106,552,000	88,893,000	128,712,000	115,341,000	140,743,000	143,399,000	165,628,000	170,060,000	143,221,000	149,751,000	134,342,000	123,902,000	1,610,544,000
North Carolina	20,600,000	20,521,000	23,784,000	25,779,000	26,061,000	25,324,000	25,581,000	28,880,000	27,745,000	30,210,000	28,899,000	26,416,000	309,800,000
North Dakota	4,715,000	4,411,000	8,677,000	12,160,000	14,559,000	10,520,000	12,920,000	13,482,000	13,903,000	10,458,000	8,561,000	5,711,000	120,077,000
Ohio	72,664,000	63,195,000	80,942,000	87,934,000	91,382,000	90,236,000	99,137,000	98,990,000	95,672,000	97,138,000	88,561,000	78,678,000	1,044,529,000
Oklahoma	23,783,000	22,415,000	25,369,000	25,393,000	25,759,000	30,420,000	32,245,000	31,554,000	30,470,000	28,710,000	26,841,000	27,548,000	330,507,000
Oregon	10,622,000	11,302,000	13,686,000	14,225,000	16,061,000	16,544,000	19,293,000	19,499,000	18,035,000	17,610,000	15,243,000	13,902,000	186,022,000
Pennsylvania	74,946,000	71,716,000	87,887,000	96,372,000	108,991,000	118,886,000	98,623,000	115,307,000	103,479,000	108,892,000	99,460,000	93,160,000	1,177,719,000
Rhode Island	6,832,000	6,036,000	7,656,000	9,284,000	9,552,000	9,802,000	11,458,000	11,590,000	9,652,000	9,866,000	9,570,000	8,120,000	109,408,000
South Carolina	10,129,000	10,154,000	12,153,000	12,187,000	11,999,000	11,922,000	12,768,000	13,240,000	12,171,000	13,167,000	12,969,000	11,870,000	144,729,000
South Dakota	7,962,000	6,260,000	10,000,000	9,578,000	11,420,000	10,777,000	12,577,000	12,094,000	11,541,000	10,081,000	8,807,000	7,870,000	118,967,000
Tennessee	16,720,000	14,347,000	16,243,000	18,306,000	18,918,000	18,395,000	21,104,000	21,612,000	20,268,000	20,597,000	19,439,000	18,406,000	224,355,000
Texas	73,588,000	68,193,000	76,459,000	76,059,000	76,619,000	81,352,000	89,810,000	89,443,000	80,587,000	86,068,000	80,937,000	80,434,000	959,549,000
Utah	4,334,000	4,176,000	4,770,000	5,354,000	5,794,000	6,478,000	7,738,000	7,353,000	6,569,000	6,628,000	5,986,000	5,885,000	71,065,000
Vermont	2,474,000	2,270,000	2,743,000	3,475,000	4,628,000	5,079,000	6,122,000	6,908,000	5,448,000	5,258,000	4,498,000	3,701,000	52,604,000
Virginia	18,462,000	17,597,000	21,419,000	22,723,000	24,531,000	24,676,000	27,213,000	27,363,000	24,794,000	26,606,000	24,683,000	22,346,000	282,413,000
Washington	15,817,000	18,788,000	21,100,000	21,117,000	23,767,000	24,421,000	28,821,000	29,294,000	26,277,000	26,386,000	22,021,000	20,863,000	278,672,000
West Virginia	10,411,000	9,557,000	11,927,000	12,939,000	14,055,000	14,258,000	14,741,000	15,893,000	14,604,000	15,274,000	13,838,000	11,593,000	159,090,000
Wisconsin	25,456,000	23,188,000	30,420,000	35,099,000	41,252,000	39,984,000	45,667,000	47,622,000	42,468,000	40,836,000	38,531,000	31,921,000	442,444,000
Wyoming	2,489,000	2,322,000	3,053,000	3,706,000	3,657,000	4,969,000	6,179,000	6,072,000	5,200,000	4,563,000	3,703,000	3,585,000	49,498,000
Total United States	1,160,509,000	1,090,241,000	1,329,700,000	1,421,831,000	1,536,915,000	1,576,604,000	1,725,856,000	1,760,882,000	1,607,885,000	1,647,823,000	1,498,357,000	1,385,599,000	17,742,202,000

NOTE:—Figures are in gallons.

The figures shown above were compiled by the Department of Statistics of the American Petroleum Institute from data supplied to it by departments of the various state governments and reflect, as nearly as is possible to determine it, the consumption of gasoline in the United States, by states. In some cases they represent the actual gallonage upon which the tax was paid, while in others the amount imported into the state. To the best of its ability, this Department has endeavored to have included in these figures all gasoline, whether sold for taxable or tax-exempt purposes.

*Due to changes in the Motor Fuel Tax Law, it is impossible to obtain figures for the first half of 1935 that are comparable with subsequent months. Rather than publish figures which we know are not comparable, we have estimated consumption for this period on a basis which we believe to be the best available according to trend.

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GASOLINE CONSUMPTION IN THE UNITED STATES
(Figures are in gallons)
1936

State	January	February	March	April	May	June	July	August	September	October	November	December	Total Year 1936
Alabama	13,443,000	15,550,000	15,577,000	15,718,000	16,634,000	17,125,000	18,070,000	18,242,000	18,602,000	19,455,000	18,078,000	18,129,000	204,623,000
Arizona	7,288,000	7,060,000	8,240,000	7,582,000	7,545,000	8,166,000	8,195,000	7,987,000	8,075,000	8,154,000	8,262,000	9,144,000	95,648,000
Arkansas	11,584,000	8,680,000	11,456,000	12,122,000	12,284,000	12,871,000	14,430,000	14,430,000	14,386,000	14,407,000	13,764,000	13,806,000	154,222,000
California	118,906,000	121,469,000	150,919,000	135,674,000	125,692,000	142,581,000	150,223,000	141,651,000	144,346,000	142,089,000	139,967,000	140,130,000	1,653,597,000
Colorado	13,914,000	10,668,000	14,966,000	15,922,000	17,145,000	18,849,000	21,220,000	21,685,000	19,391,000	17,927,000	16,777,000	16,260,000	204,746,000
Connecticut	19,432,000	16,640,000	19,922,000	23,272,000	26,906,000	27,977,000	31,187,000	30,084,000	28,011,000	27,498,000	24,322,000	24,204,000	299,405,000
Delaware	2,833,000	2,584,000	3,487,000	4,034,000	4,681,000	4,662,000	5,218,000	5,448,000	4,733,000	4,673,000	4,070,000	4,158,000	50,581,000
District of Columbia	8,900,000	8,203,000	9,808,000	10,512,000	11,209,000	11,201,000	11,688,000	11,451,000	10,984,000	11,444,000	10,854,000	10,880,000	127,204,000
Florida	26,295,000	30,373,000	31,929,000	28,367,000	25,700,000	22,300,000	22,823,000	22,300,000	21,720,000	23,975,000	25,235,000	29,405,000	310,502,000
Georgia	20,620,000	20,039,000	23,405,000	24,555,000	26,545,000	25,289,000	27,346,000	27,681,000	26,442,000	26,663,000	26,947,000	26,851,000	302,483,000
Idaho	4,143,000	3,609,000	5,343,000	6,492,000	7,718,000	8,333,000	9,361,000	10,476,000	9,344,000	8,938,000	7,672,000	6,418,000	87,847,000
Illinois	73,800,000	67,565,000	87,706,000	97,290,000	109,346,000	108,352,000	115,459,000	113,971,000	108,236,000	111,266,000	101,591,000	96,830,000	1,191,916,000
Indiana	36,067,000	27,153,000	43,443,000	45,788,000	51,963,000	51,770,000	53,126,000	52,864,000	53,796,000	50,253,000	48,392,000	46,726,000	561,428,000
Iowa	29,194,000	18,206,000	27,754,000	45,108,000	45,968,000	44,327,000	45,567,000	43,912,000	42,301,000	43,016,000	38,874,000	35,469,000	460,206,000
Kansas	29,600,000	22,430,000	36,661,000	34,199,000	39,269,000	40,621,000	43,274,000	41,094,000	42,631,000	39,077,000	33,708,000	33,662,000	450,331,000
Kentucky	14,214,000	13,335,000	16,167,000	16,896,000	19,269,000	22,083,000	22,496,000	22,089,000	21,586,000	21,962,000	19,207,000	18,970,000	238,333,000
Louisiana	15,771,000	14,506,000	16,940,000	16,694,000	17,882,000	18,469,000	19,970,000	18,274,000	19,187,000	20,789,000	18,793,000	19,134,000	216,401,000
Maine	6,748,000	6,135,000	6,586,000	8,682,000	12,006,000	13,580,000	16,367,000	17,111,000	14,482,000	13,265,000	10,616,000	9,011,000	134,521,000
Maryland	15,037,000	13,945,000	17,186,000	19,717,000	21,842,000	22,379,000	23,880,000	24,114,000	23,253,000	23,084,000	20,439,000	20,426,000	245,252,000
Massachusetts	40,968,000	36,964,000	43,365,000	51,143,000	59,435,000	61,545,000	67,619,000	66,017,000	61,118,000	60,980,000	54,239,000	54,360,000	657,753,000
Michigan	65,930,000	54,655,000	67,427,000	75,722,000	88,846,000	91,831,000	102,022,000	97,906,000	91,689,000	89,878,000	85,005,000	84,870,000	995,781,000
Minnesota	28,787,000	18,936,000	28,540,000	36,135,000	46,671,000	48,846,000	52,661,000	50,389,000	48,432,000	45,512,000	40,954,000	35,321,000	480,874,000
Mississippi	12,730,000	8,179,000	12,934,000	13,129,000	14,494,000	14,030,000	15,617,000	15,277,000	14,928,000	17,536,000	16,539,000	15,302,000	170,885,000
Missouri	41,323,000	31,407,000	43,850,000	45,163,000	48,085,000	51,099,000	54,049,000	52,945,000	51,587,000	51,482,000	49,291,000	48,020,000	567,601,000
Montana	5,446,000	3,661,000	7,591,000	9,345,000	11,082,000	11,149,000	12,905,000	12,415,000	10,641,000	9,353,000	8,112,000	7,222,000	109,422,000
Nebraska	16,182,000	11,105,000	17,961,000	19,028,000	20,305,000	19,338,000	24,232,000	22,284,000	22,085,000	20,584,000	19,423,000	17,895,000	230,362,000
Nevada	1,935,000	1,575,000	2,485,000	2,830,000	2,702,000	3,285,000	3,679,000	3,776,000	3,494,000	3,027,000	2,779,000	2,669,000	34,226,000
New Hampshire	4,614,000	4,216,000	4,607,000	5,310,000	7,089,000	7,828,000	9,517,000	9,982,000	8,345,000	7,361,000	6,162,000	5,567,000	80,898,000
New Jersey	47,146,000	45,266,000	51,810,000	58,541,000	65,495,000	66,770,000	73,496,000	70,782,000	69,785,000	67,208,000	60,271,000	62,840,000	745,482,000
New Mexico	5,239,000	4,762,000	5,399,000	5,992,000	6,194,000	6,878,000	7,346,000	7,902,000	6,414,000	5,502,000	6,557,000	6,664,000	75,849,000
New York	110,151,000	94,412,000	111,959,000	130,503,000	136,404,000	151,683,000	165,870,000	178,496,000	162,916,000	161,141,000	140,295,000	138,030,000	1,721,830,000
North Carolina	22,618,000	20,237,000	26,018,000	27,806,000	29,414,000	29,474,000	32,237,000	32,635,000	32,575,000	33,482,000	31,409,000	30,189,000	348,154,000
North Dakota	4,466,000	2,094,000	5,813,000	12,757,000	13,641,000	11,083,000	11,346,000	11,611,000	12,090,000	10,969,000	8,797,000	7,076,000	111,373,000
Ohio	78,637,000	69,426,000	84,583,000	93,315,000	103,131,000	107,123,000	111,344,000	110,706,000	108,346,000	107,330,000	97,299,000	96,838,000	1,167,887,000
Oklahoma	26,880,000	23,484,000	28,264,000	28,962,000	30,523,000	36,608,000	35,281,000	31,098,000	31,588,000	33,093,000	30,046,000	30,082,000	365,737,000
Oregon	12,595,000	11,299,000	19,254,000	16,268,000	16,497,000	19,419,000	22,185,000	23,076,000	22,473,000	20,010,000	16,684,000	16,058,000	215,778,000
Pennsylvania	78,440,000	73,123,000	89,075,000	101,941,000	115,551,000	117,351,000	125,645,000	125,026,000	117,806,000	121,482,000	109,273,000	108,475,000	1,283,280,000
Rhode Island	7,405,000	6,527,000	8,021,000	9,119,000	10,130,000	11,263,000	11,716,000	12,120,000	11,141,000	10,663,000	9,850,000	10,417,000	118,362,000
South Carolina	11,132,000	10,832,000	12,901,000	12,946,000	13,280,000	13,512,000	14,646,000	15,227,000	14,961,000	15,224,000	14,746,000	14,589,000	163,927,000
South Dakota	6,805,000	4,041,000	9,318,000	9,739,000	10,614,000	11,984,000	11,445,000	10,680,000	10,302,000	11,046,000	8,946,000	7,881,000	113,281,000
Tennessee	17,268,000	14,873,000	20,198,000	19,649,000	20,659,000	21,972,000	23,670,000	25,699,000	27,395,000	24,427,000	25,137,000	25,813,000	286,320,000
Texas	80,035,000	74,812,000	88,554,000	85,127,000	84,855,000	100,457,000	101,246,000	99,435,000	93,386,000	96,208,000	93,573,000	96,485,000	1,096,243,000
Utah	5,680,000	3,834,000	5,720,000	5,723,000	6,883,000	7,631,000	8,642,000	8,407,000	8,047,000	7,339,000	6,686,000	6,318,000	80,940,000
Vermont	3,279,000	3,049,000	3,251,000	3,784,000	5,171,000	5,945,000	6,902,000	7,280,000	6,291,000	6,217,000	4,896,000	4,161,000	60,026,000
Virginia	24,086,000	15,949,000	21,049,000	24,595,000	27,041,000	28,170,000	30,745,000	30,989,000	29,940,000	30,321,000	28,178,000	27,393,000	316,556,000
Washington	19,373,000	18,121,000	28,975,000	24,743,000	24,796,000	28,648,000	32,446,000	32,974,000	31,680,000	28,491,000	24,767,000	24,472,000	319,473,000
West Virginia	10,636,000	9,682,000	12,320,000	14,339,000	16,238,000	17,286,000	17,271,000	18,067,000	17,870,000	17,313,000	15,496,000	14,876,000	181,334,000
Wisconsin	32,454,000	22,405,000	32,180,000	37,009,000	46,623,000	49,896,000	53,272,000	51,202,000	49,318,000	46,522,000	44,809,000	39,111,000	504,522,000
Wyoming	3,264,000	2,357,000	3,572,000	3,999,000	4,708,000	5,332,000	7,396,000	6,919,000	6,486,000	5,319,000	4,698,000	4,234,000	58,679,000
Total United States	1,293,963,000	1,129,739,000	1,444,285,000	1,552,880,000	1,706,133,000	1,789,356,000	1,931,411,000	1,890,846,000	1,815,342,000	1,796,605,000	1,649,380,000	1,622,953,000	19,622,163,000

NOTE:—Figures are in gallons.

The figures shown above were compiled by the Department of Statistics of the American Petroleum Institute from data supplied to it by departments of the various state governments and reflect, as nearly as is possible to determine it, the consumption of gasoline in the United States, by states. In some cases they represent the actual gallonage upon which the tax was paid, while in others the amount imported into the state. To the best of its ability, this Department has endeavored to have included in these figures all gasoline, whether sold for taxable or tax-exempt purposes.

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Consumption of Gasoline in 1934, by States and months[1]
(Thousands of gallons)

State	January	February	March	April	May	June	July	August	September	October	November	December	Total	
													Thousands of gallons	Equivalent in thousands of barrels
Alabama	11,879	10,616	12,442	12,130	12,904	12,908	13,272	13,737	13,583	14,379	13,852	13,345	155,047	3,692
Arizona	5,768	5,589	6,064	6,027	6,275	6,401	5,882	6,110	6,064	6,456	6,270	6,313	73,219	1,743
Arkansas	11,210	9,696	10,407	10,536	12,056	11,640	12,626	12,929	12,706	12,628	12,718	11,004	140,156	3,337
California	87,538	94,112	136,314	122,688	118,848	116,126	102,628	113,863	106,319	115,164	108,657	111,920	1,334,177	31,766
Colorado	18,610	6,639	11,374	14,077	15,428	14,042	17,445	14,164	19,075	15,829	13,995	12,078	172,756	4,113
Connecticut	16,116	13,201	16,724	19,609	23,263	25,056	26,008	26,205	24,890	22,759	21,662	19,440	254,933	6,070
Delaware	2,634	2,273	2,695	3,353	3,772	3,966	4,144	4,352	3,978	3,782	3,348	3,259	41,556	989
District of Columbia	7,945	6,792	7,689	8,766	9,282	8,931	9,139	10,386	8,059	9,155	9,022	8,568	103,734	2,470
Florida	22,099	21,310	24,077	20,150	18,519	17,145	16,719	16,970	16,888	18,711	20,582	23,605	236,775	5,638
Georgia	18,310	16,687	19,321	18,649	19,621	19,837	20,731	21,626	20,169	21,978	22,163	20,406	239,498	5,702
Idaho	3,480	3,592	4,769	5,325	5,608	6,176	7,012	7,285	6,598	6,188	5,433	4,304	65,770	1,566
Illinois	71,474	64,560	72,880	80,907	92,178	92,517	96,340	99,589	92,040	99,538	92,291	71,604	1,025,918	24,427
Indiana	31,770	27,582	34,617	36,569	42,668	40,031	42,109	43,876	44,989	43,081	41,430	36,716	465,438	11,082
Iowa	26,857	25,453	30,054	37,298	35,834	35,677	34,897	36,453	37,000	36,457	34,983	32,840	403,803	9,614
Kansas	25,394	26,855	27,877	30,841	33,412	41,346	37,190	34,643	32,702	32,196	29,370	26,955	378,781	9,019
Kentucky	13,321	11,789	13,078	14,480	15,882	16,286	16,778	18,168	16,856	16,922	15,965	14,842	184,367	4,390
Louisiana	14,040	12,340	13,575	14,185	15,336	14,686	15,258	15,697	14,992	17,915	14,395	16,038	178,457	4,249
Maine	5,645	4,915	5,623	6,853	11,164	12,416	13,964	15,434	12,759	10,983	9,421	7,816	116,993	2,786
Maryland	14,305	11,623	14,126	17,069	18,797	19,208	19,529	19,840	17,980	19,803	17,422	16,577	206,279	4,911
Massachusetts	37,535	32,926	38,910	44,797	54,253	56,682	58,781	61,243	52,330	58,406	46,484	45,440	587,789	13,995
Michigan	54,887	51,948	56,865	60,819	73,269	69,787	76,235	76,232	76,101	67,078	64,220	54,539	781,971	18,618
Minnesota	27,603	24,524	31,425	34,170	38,496	38,242	42,520	43,695	40,915	43,057	38,813	28,115	431,545	10,275
Mississippi	11,181	8,821	10,054	10,783	10,144	10,975	10,885	11,499	11,217	12,323	12,576	10,805	131,263	3,125
Missouri	38,349	34,071	36,894	38,496	42,587	42,890	44,532	45,159	41,557	44,896	43,759	36,261	489,401	11,652
Montana	4,644	4,374	5,824	7,415	7,705	8,393	9,580	9,959	7,595	8,055	6,702	5,238	85,484	2,035
Nebraska	17,777	16,173	16,710	18,865	20,623	18,320	21,036	20,662	18,568	20,440	19,227	14,971	223,372	5,318
Nevada	1,396	1,485	1,799	2,047	2,185	2,355	2,507	2,506	2,372	2,255	1,947	1,853	24,707	588
New Hampshire	3,754	3,328	3,889	4,815	6,473	7,317	8,231	8,866	7,282	6,625	5,360	4,700	70,640	1,682
New Jersey	48,385	39,367	50,651	52,930	68,062	63,569	71,716	70,934	64,702	75,958	69,327	58,920	734,521	17,489
New Mexico	3,623	3,561	3,755	4,210	4,519	5,024	5,244	5,691	5,460	5,247	4,943	4,877	56,154	1,337
New York	108,639	87,616	107,742	120,718	144,473	149,082	156,467	160,083	144,938	139,832	128,930	128,499	1,577,019	37,548
North Carolina	19,955	17,719	20,349	21,469	23,798	21,673	23,765	25,879	24,216	27,709	27,329	25,935	279,796	6,662
North Dakota	4,242	4,420	8,735	10,344	9,841	8,875	9,873	10,784	9,394	10,973	9,192	6,258	102,931	2,451
Ohio	66,978	60,967	69,816	79,988	89,573	83,836	86,918	91,328	85,223	87,078	82,262	71,503	955,470	22,749
Oklahoma	23,945	21,639	22,691	23,485	24,931	29,566	27,534	26,026	27,229	26,161	24,367	22,857	300,431	7,153
Oregon	10,356	10,862	13,152	14,615	14,191	16,567	15,838	15,805	16,517	13,716	12,551	11,806	165,978	3,952
Pennsylvania	78,065	67,884	82,370	89,439	104,316	103,936	106,740	110,521	101,099	104,415	97,433	90,126	1,136,344	27,056
Rhode Island	7,896	5,845	7,399	8,220	9,565	10,489	11,662	11,191	9,686	10,322	8,493	8,096	108,864	2,592
South Carolina	10,237	9,117	10,680	11,062	10,942	10,653	11,388	11,515	10,986	11,981	11,911	11,925	132,347	3,151
South Dakota	7,677	6,846	9,425	8,667	9,108	8,640	10,896	9,680	10,223	10,327	10,103	7,922	109,514	2,607
Tennessee	17,031	15,073	16,114	15,990	18,265	18,109	16,899	19,334	19,398	19,558	21,250	15,016	212,037	5,049
Texas	65,584	58,631	69,368	66,878	74,451	79,098	75,574	77,454	78,918	83,846	70,727	74,505	875,034	20,834
Utah	4,307	3,947	4,509	5,233	5,383	5,818	6,623	6,638	5,994	5,858	5,344	4,486	64,140	1,527
Vermont	2,329	2,170	2,342	3,040	4,437	5,060	5,523	6,399	5,239	4,645	4,050	3,316	48,550	1,156
Virginia	19,539	15,966	18,614	20,860	22,709	23,784	22,745	24,729	22,289	24,979	22,615	20,294	259,123	6,170
Washington	17,151	17,094	24,670	25,343	19,353	22,505	25,365	24,833	23,296	22,379	19,750	19,039	260,778	6,209
West Virginia	10,114	8,208	9,804	11,448	13,376	13,741	13,456	14,495	13,893	14,400	12,974	11,700	147,609	3,515
Wisconsin	27,483	25,714	30,842	30,537	39,521	38,612	42,389	42,053	41,109	38,517	36,714	27,234	420,725	10,017
Wyoming	2,753	2,252	3,633	3,061	3,624	4,095	5,050	4,916	4,285	4,026	3,303	2,988	43,986	1,047
	1,161,810	1,038,172	1,252,737	1,329,256	1,480,933	1,492,088	1,537,593	1,581,436	1,489,678	1,528,986	1,415,635	1,286,856	16,595,180	395,123

[1]Compiled from reports of the American Petroleum Institute which cover "quantities of gasoline sold or offered for sale, as reported by wholesalers and dealers in the various States under provisions of the gasoline tax or inspection laws."

Gasoline Consumption in the Mid-Western Area and in the United States,

1934–1936
(In thousands of gallons)

1934	Illinois	Indiana	Iowa	Kansas	Michigan	Minnesota	Missouri	North Dakota	South Dakota	Wisconsin	Total Mid-Western Area	Total United States
January	71,474	31,770	26,857	25,394	54,887	27,603	38,349	4,242	7,677	27,483	315,736	1,161,810
February	64,560	27,582	25,453	26,855	51,948	24,524	34,071	4,420	6,846	25,714	291,973	1,038,172
March	72,880	34,617	30,054	27,877	56,865	31,425	36,894	8,735	9,425	30,842	339,614	1,252,737
April	80,907	36,569	37,298	30,841	60,819	34,170	38,496	10,344	8,667	30,537	368,648	1,329,526
May	92,178	42,668	35,834	33,412	73,260	38,466	42,537	9,841	9,108	39,521	416,825	1,480,933
June	92,517	40,031	35,677	41,346	69,787	38,242	42,890	8,875	8,640	38,612	416,617	1,492,088
July	96,340	42,109	34,897	37,190	76,235	42,520	44,532	9,873	10,896	42,389	436,981	1,537,593
August	99,589	43,876	36,453	34,643	76,232	43,695	45,159	10,784	9,680	42,053	442,164	1,581,436
September	92,040	44,989	37,000	32,702	76,101	40,915	41,557	9,394	10,223	41,109	426,030	1,489,678
October	99,538	43,081	36,457	32,196	67,078	43,057	44,896	10,973	10,327	38,517	426,120	1,528,986
November	92,291	41,430	34,983	29,370	64,220	38,813	43,759	9,192	10,103	36,714	400,875	1,415,635
December	71,604	36,716	32,840	26,955	54,539	28,115	36,261	6,258	7,922	27,234	328,344	1,286,856
Total for Year	1,025,918	465,438	403,803	378,781	781,971	431,545	489,401	102,931	109,514	420,725	4,611,027	16,595,180
1935												
January	67,128	30,485	24,640	26,034	55,366	23,381	34,896	4,715	7,962	25,456	300,063	1,160,509
February	64,459	26,864	23,144	24,677	52,729	22,328	31,915	4,411	6,260	23,188	279,975	1,090,241
March	78,210	40,669	31,318	32,343	64,867	31,124	38,903	8,677	10,000	30,420	366,531	1,329,700
April	87,571	39,765	36,091	32,354	71,519	36,211	41,820	12,160	9,578	35,099	402,168	1,421,831
May	92,465	44,403	40,426	31,831	80,849	39,710	42,039	14,559	11,420	41,252	438,954	1,536,915
June	95,412	44,620	36,405	40,317	79,014	39,886	43,429	10,520	10,777	39,984	440,364	1,576,604
July	104,160	47,577	40,512	48,207	85,219	45,623	48,166	12,920	12,577	45,667	490,628	1,725,856
August	108,917	48,589	41,821	40,566	88,039	48,840	50,742	13,482	12,094	47,622	500,712	1,760,882
September	96,300	47,394	40,013	40,759	78,265	44,458	47,211	13,903	11,541	42,468	462,312	1,607,885
October	100,407	44,917	39,257	34,637	84,142	43,668	47,437	10,458	10,081	40,836	455,840	1,647,823
November	90,098	43,544	35,825	27,751	77,180	37,626	43,044	8,561	8,807	38,531	410,967	1,498,357
December	84,116	38,008	31,700	29,231	68,055	29,914	42,233	5,711	7,870	31,921	368,759	1,385,599
Total for Year	1,069,243	406,835	421,152	408,707	885,244	442,769	511,835	120,077	118,967	442,444	4,917,273	17,742,202

1936												
January	73,800	36,067	29,194	29,600	65,930	28,757	41,323	4,466	6,805	32,454	348,896	1,293,263
February	67,565	27,153	18,208	22,430	54,655	18,936	31,407	2,094	4,041	22,405	268,894	1,129,739
March	87,708	43,443	27,754	36,661	67,427	28,540	43,850	5,513	9,318	32,180	382,394	1,444,285
April	97,290	45,785	45,108	34,199	75,722	36,135	45,163	12,757	9,729	37,009	438,897	1,552,850
May	109,346	51,953	45,968	39,259	88,846	46,671	48,085	13,641	10,614	46,623	501,006	1,706,133
June	108,852	51,770	44,837	50,621	91,831	48,546	51,099	11,083	11,984	49,526	520,149	1,789,356
July	115,469	53,125	45,567	48,374	102,022	52,681	54,049	11,346	11,445	53,273	547,351	1,931,411
August	113,971	52,884	43,912	41,094	97,906	50,389	52,245	11,611	10,680	51,292	525,964	1,890,846
September	108,238	53,795	42,301	42,631	91,689	48,432	51,587	12,030	10,892	49,318	510,913	1,815,342
October	111,256	50,353	43,016	39,077	89,878	45,512	51,482	10,959	11,046	46,522	499,101	1,796,605
November	101,591	48,392	38,874	32,703	85,005	40,954	49,291	8,797	8,946	44,809	459,262	1,649,380
December	96,830	46,728	35,469	33,682	84,870	35,321	48,020	7,076	7,881	39,111	434,988	1,622,953
Total for Year	1,191,916	561,428	460,208	450,331	995,781	480,874	567,601	111,373	113,381	504,522	5,437,415	19,622,163

1934 figures derived from the Minerals Yearbook (1935) published by the Bureau of Mines.

1935 and 1936 figures derived from the figures published by the American Petroleum Institute.

U. S. v. STANDARD OIL CO. (IND.) et al

Gasoline Consumption in Arkansas, Louisiana, Oklahoma and Texas 1934–1936
(In thousands of gallons)

	Arkansas	Louisiana	Oklahoma	Texas	Total
1934					
January	11,210	14,040	23,945	65,584	114,779
February	9,696	12,340	21,639	58,631	102,306
March	10,407	13,575	22,691	69,368	116,041
April	10,536	14,185	23,485	66,878	115,084
May	12,056	15,336	24,931	74,451	126,774
June	11,640	14,686	29,566	79,098	134,990
July	12,626	15,258	27,534	75,574	130,992
August	12,929	15,697	26,026	77,454	132,106
September	12,706	14,992	27,229	78,918	133,845
October	12,628	17,915	26,161	83,846	140,550
November	12,718	14,395	24,367	70,727	122,207
December	11,004	16,038	22,857	74,505	124,404
Total	140,156	178,457	300,431	875,034	1,494,078
1935					
January	10,266	13,548	23,783	73,588	121,185
February	9,673	13,046	22,415	68,193	113,327
March	10,833	14,790	25,369	76,459	127,451
April	11,098	15,209	25,393	76,059	127,759
May	10,731	15,414	25,759	76,619	128,523
June	11,578	15,386	30,420	81,352	138,736
July	13,348	16,281	32,245	89,810	151,684
August	13,705	17,260	31,554	89,443	151,962
September	12,723	16,320	30,470	80,587	140,100
October	13,044	17,877	28,710	86,068	145,699
November	13,323	17,558	26,841	80,937	138,659
December	13,057	16,813	27,548	80,434	137,852
Total	143,379	189,502	330,507	959,549	1,622,937
1936					
January	11,584	15,771	26,880	80,035	134,270
February	8,680	14,508	23,484	74,812	121,484
March	11,456	16,940	28,264	88,554	145,214
April	12,122	16,684	28,962	85,137	142,905
May	12,284	17,882	30,523	84,855	145,544
June	12,871	18,469	36,608	100,457	168,405
July	14,430	19,970	35,231	101,346	170,977
August	14,430	18,274	31,098	99,425	163,227
September	14,388	19,187	31,556	93,356	158,487
October	14,407	20,789	33,003	98,208	166,407
November	13,764	18,793	30,046	93,573	156,176
December	13,803	19,134	30,062	96,485	159,507
Total	154,222	216,401	365,737	1,096,243	1,832,603
Totals 1934–1936	437,757	584,360	996,675	2,930,826	4,949,618

5341 GOVERNMENT EXHIBIT NO. 727.

Stipulation.

"G. A. Booth" refers to George A. Booth who was Office Manager of the Chicago Division of Socony-Vacuum Oil Company, Inc.

The initials "L.L.M." are those of L. L. Marcell, Manager of the White Eagle Division of Socony-Vacuum Oil Company, Inc.

The initials "R.R.I." are those of R. R. Irwin.

J. H. Romer is employed in the main office of Socony-Vacuum Oil Company, Inc.

F. E. Scuder has been Traffic Manager of Wadhams Oil Company from January 1, 1935, to the present time.

The initials "McN" are those of Louis McNally, Vice-President of Wadhams Oil Company.

Exhibits 305, 334 and 336 were written by the one so indicated on the document and were received by the addressee; Exhibits 17 and 461 were written by C. E. Arnott, and sent to Harry D. Frueauff; Exhibits 331 and 332 were written by C. E. Arnott and sent to H. W. Dodge; Exhibit 369 was written by C. E. Arnott and sent to J. W. Carnes; Exhibit 482 was written by C. E. Arnott and sent to The Pure Oil Company; Exhibits 306 and 311 were written by L. L. Marcell and received by C. E. Arnott; Exhibit 335 was written by Louis McNally and received by George A. Booth. Copies may be used in lieu of originals.

Any pencilled or other notations appearing on the above mentioned documents are specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5342 GOVERNMENT EXHIBIT NO. 728.

Stipulation.

The initials "APR" are those of A. P. Reuther. A. P. Reuther is manager of the Crude Oil Department of Shell Petroleum Corporation.

The initials "HJ" are those of Harry Jacobs. Harry Jacobs is assistant to the Vice-President in charge of marketing of Shell Petroleum Corporation.

The initials "WLS" are those of W. L. Schafer. W. L. Schafer was formerly assistant to the Tank Car Sales Man-

ager of Shell Petroleum Corporation, and still is employed by Shell Petroleum Corporation.

E. A. Bacon is manager of the Crude Oil Department in the Tulsa area of Shell Petroleum Corporation.

G. L. Shoemaker, McNair, and H. L. Stegall are field scouts for Shell Petroleum Corporation, operating in Texas.

A. W. Frey was formerly assistant manager of the Shipping and Supplies Department, and is now manager of that department.

J. H. Salmon was formerly manager of the Shipping and Supplies Department of Shell Petroleum Corporation, and is still employed by Shell Petroleum Corporation.

J. E. Fritts was formerly Tank Car Sales Manager of Shell Petroleum Corporation at Kansas City, Missouri, and is now District Tank Car Manager of Shell Petroleum Corporation at Omaha, Nebraska.

The initials "TW" are those of T. Ward. T. Ward is a clerk in the Tank Car Sales Department of Shell Petroleum Corporation at St. Louis, Missouri.

The initials "SBK" are those of S. B. Kieselhorst. S. B. Kieselhorst is a clerk in the Shipping and Supplies Department of Shell Petroleum Corporation.

J. G. Sinclair is District Manager of Shell Petroleum Corporation at Chicago, Illinois.

5343 Exhibits 171, 174, 180, 221, 238 were written by the one so indicated on the document and were received by the addressee: Exhibit 168 was written by A. P. Reuther and received by the Crude Oil Department of Shell Petroleum Corporation at Tulsa, Oklahoma. Exhibit 222 was written by H. L. Stegall and received by A. P. Reuther. Exhibit 246 was written by S. B. Kieselhorst and copy received by Harry Jacobs. Exhibit 233 was written by H. L. Stegall and received by A. P. Reuther. Exhibit 234 was written by H. L. Stegall and received by A. P. Reuther. Exhibit 237 was written by H. L. Stegall and received by A. P. Reuther. Exhibit 243 was written by J. E. Fritts and received by W. L. Schafer. Exhibit 239 was written by H. L. Stegall and received by A. P. Reuther. Exhibit 247 was written by A. W. Frey and received by A. P. Reuther. Copies may be used in lieu of originals.

Any pencilled or other notations appearing on the above mentioned documents are specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5344 GOVERNMENT EXHIBIT NO. 729.

Stipulation.

H. E. Brandli was Vice-President and General Manager of Cities Service Export Oil Company during the period January 1, 1935 to June 11, 1936. Since June 11, 1936, Mr. Brandli has been a Vice-President of Cities Service Oil Company, a Pennsylvania corporation, in charge of the Export Division.

Neil Buckley was an oil buyer for Cities Service Export Oil Company during the period January 1, 1935 to June 11, 1936. Since June 11, 1936, Mr. Buckley has been an employee of the Cities Service Oil Company, a Pennsylvania corporation, acting as an oil buyer for its Export Division.

Harry D. Frueauff was an executive as described in the indictment in the above entitled action, except that his position as Vice-President of Cities Service Export Oil Company terminated on June 11, 1936.

E. P. Engelke was Secretary of Cities Service Export Oil Company during the period January 1, 1935 to June 11, 1936. Since that date he has been an assistant secretary of Cities Service Oil Company, a Pennsylvania corporation.

F. R. Coates was an executive as described in the indictment in the above entitled action with the exception that his position as Vice-President of Cities Service Export Oil Company terminated on June 11, 1936.

Exhibits 36, 454, 456, 457, 458, 467, 469, 471, 473, 474, 475, 476, 477 were written by the one so indicated on the document and were received by the addressee; Exhibits 17 and 461 were received by Harry D. Frueauff, and Exhibit 478 was written by Harry D. Frueauff and received in the office of F. R. Coates; Exhibit 102 was written by O. J. Tuttle; Exhibits 460 and 462 were written by Harry D. Frueauff and sent to C. E. Arnott. Copies may be used in lieu of originals.

Any pencilled or other notations appearing on the above mentioned documents are specifically excluded from this stipulation.

The defendants expressly reserved the right to all objections against the admissibility of these documents except as stipulated.

5345 A Daily Independent Reporting Service On Oil Prices Issued Simultaneously From Tulsa-Chicago-New York-Cleveland

Oilgram

Oil News-Markets-Every Day

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Refinery prices, except where otherwise noted, represent publisher's opinion of prices at which the bulk of open market sales of products from legally produced crude for the day named were made, for spot shipment from the district designated. They represent prices made only to domestic jobbers who resell to the consuming public, except where otherwise noted. Spot shipment as defined by trade practice is:

Gulf Coast Bulk Market, for shipment in 90 days. All Other Markets, for shipment in 10 to 15 days.

Information is obtained from sources deemed reliable but publisher will not be responsible for delays to, or for the accuracy or completeness of data furnished.

Prices are in cents per gallon except wax and petrolatum in cents per pound and fuel oil in dollars per barrel. Prices are for tank car lots, f.o.b. refinery in the district designated, except where otherwise noted. Prices do not include state or federal taxes, inspection or otherwise, levied on some products.

Octane numbers are determined by C. F. R. motor method. A. S. T. M. D. 357-33 T.

Lubricating oil specifications are determined according to A. S. T. M. methods unless otherwise noted.

Tulsa Edition

At close of business Friday, May 1, 1936.

Page 1-B No. 3459.

Today's Oil Markets In A Line

Refinery—Mid-Continent kerosine more active; gasoline steady.

Summary of Group 3 Quotations for U. S. Motor Gasoline.

Octane	Oklahoma	Kansas	N. Texas	W. Texas	E. Texas	N. La.-Ark.
62 & below	5–5.25	5–5.125	5.00	5.00	5.00	5.00
63 to 67	5.625–5.875	5.625–5.75	5.625–5.75	5.625–5.75	.....	5.625–5.75
68 to 70	6–6.25	6–6.125	6–6.125	6.00	.....	6.00

Prices are those quoted on basis of f.o.b. Group 3 by refiners in districts designated.

Mid-Continent Kerosine More Active; Gasoline Steady

Tulsa, May 1—Jobber interest in kerosine has picked up considerably, according to some Mid-Continent supplies Friday. Other reports, however, indicated jobbers still were hesitant in their buying. Observers attributed this hesitancy to the fact that some distributors still had fairly substantial quantities in storage. Other jobbers have kept storage at a low point though, and increased consumption has stimulated buying. Refiners' stocks of kerosine were in good position. Prices generally were unchanged.

Light oils for heating purposes were in light demand. Prices recessions were encountered for the No. 2 oil in several districts.

Contract movement of motor fuel was brisk, although open market shipments still were comparatively light. Scattered cars of off-specification gasoline were encountered from one or two districts. Quotations for full specification motor fuel continued to be made generally at prices shown below.

Oklahoma Refinery Market

Tulsa—May 1 prices f.o.b. Oklahoma refineries were:

48-54, 450 e.p. naphtha 4.875-5

U. S. Motor Gasoline

62 octane & below	5 -5.25
63 to 67 octane	5.625-5.875
68 to 70 octane (regular)	6 -6.25
60-62, 400 e.p. gasoline	5 -5.25
64-66, 375 e.p. gasoline	5.125-5.25
68-70, 350-360 e.p. gasoline	5.25 -5.375
41-43 w.w. kerosine	4.25 -4.375
42-44 w.w. kerosine	4.50 -4.625

Gas and Fuel Oils

No. 1 white	3.875-4
No. 1 straw	3.625-3.75
No. 2 straw	3.125
No. 2 dark	3 -3.125
U. G. I. gas oil	2.50 -2.625
28-30 fuel oil, zero	3 -3.125
28-30 fuel oil	$1.00 -1.10
24-26 fuel oil	$0.80 -0.85
18-22 fuel oil	$0.725-0.75
14-16 fuel oil	$0.65 -0.675

Mid-Western Tank Car Market

Chicago, May 1—Open market demand for gasoline was reported unusually light by virtually all traders in Chicago Friday. Several refinery representatives said contract takings were better than normal. They were at a loss to reconcile the slow open market.

Acceptable grades of low octane gasoline were being quoted at 4.875¢ and up Friday. Some shading of this price was reported. However, where shading of 4.875¢ was encountered, gasoline offered had an extremely low octane value, which sellers said necessitated the lower quotations.

The Mid-Western kerosine market was spotted with lower-priced offerings, which were becoming more numerous Friday. Open market movement of this product was slow, sellers agreed.

Following prices represent sales made May 1 by Chicago sellers to jobbers on a Group 3 freight basis. Shipments, however, may originate in other southwestern or mid-western refining districts.

U. S. Motor Gasoline

62 octane & below	4.875-5.125
63 to 67 octane	5.375-5.75
68 to 70 octane (regular)	5.75 -6.125
60-62, 400 e.p. gasoline	5 -5.25
64-66, 375 e.p. gasoline	5.125-5.25
68-70, 350-360 e.p. gasoline	5.25 -5.375
41-43 w.w. kerosine	4.25 -4.375
42-44 w.w. kerosine	4.375-4.50

Gas and Fuel Oils	Domestic	Industrial
No. 1 p.w.	3.875-4.125	—
No. 1 straw	3.50 -3.625	—
No. 2 dark	2.875-3.25	—
No. 2 straw	3.125-3.25	—
U. G. I. gas oil	—	2.375-2.50
No. 3	2.875-3.125	—
No. 4	$0.975-1.05	$0.875-0.90
No. 5	$0.70 -0.75	$0.625-0.675
No. 6	—	$0.55 -0.60

Kansas Refinery Market

Wichita—May 1 prices for shipment to Kansas points only were:

U. S. Motor Gasoline

62 octane & below	5.25 -5.375
63 to 67 octane	5.875-6.125
68 to 70 octane (regular)	6.25 -6.375
60-62, 400 e.p. gasoline	5.25 -5.375
41-43 w.w. kerosine	4.625
42-44 w.w. kerosine	4.75
No. 1 p.w. fuel oil	4.00
18-22 fuel oil	$0.80 -0.825
10-14 fuel oil	$0.65 -0.70

5346 Natural Gasoline Markets

Tulsa—Following prices represent majority of sales made May 1 to blenders on the freight basis shown below, although shipments may originate in other manufacturing districts such as East Texas, Panhandle, Southwest Texas and Kansas. All sales made after 2 p.m. (C.S.T.) are classed with the next day's business.

Grade 26-70 (f.o.b. Group 3)	2.75-2.875
Grade 26-70 (f.o.b. Breckenridge)	2.50

Texas Refinery Markets

Dallas—May 1 prices of products made from legally produced crude f.o.b. refineries in the districts shown below for unrestricted shipment unless otherwise noted were: (Refiners generally receive from 0.25 to 0.50¢ per gallon more for gasoline and kerosine in local and differential territory shipment.)

U. S. Motor Gasoline	North Texas*	West Texas	East Texas	Amarillo**
62 octane & below	5–5.125	5–5.125	5.00	5.375
63 to 67 octane	5.625–5.875	5.75	.....	.....
68 to 70 octane (regular)	6–6.125	6.00	.....	.....
60-62, 400 e.p. gasoline	5.125	.....	5.00	5.625
64-66, 375 e.p. gasoline	5.25	.....	.....	.....
68-70, 350-360 e.p. gasoline	5.375	.....	.....	.....
41-43 w.w. kerosine	4.375–4.50	.....	4–4.125***	4.625
No. 1 straw fuel oil	3.50–3.625	.....	.....	3.75–4
No. 1 white fuel oil	3.75–3.875	.....	3.75–3.875***	.....
No. 2 fuel oil	2.875–3	3–3.125***	2.75–2.875***	.....
U. G. I. gas oil	2.50	.....	2.50–2.625	2.50
24-26 fuel oil	$0.70–0.725	.....	$0.675–0.70	.....
20-24 fuel oil	.....	.....	$0.65–0.675	.....
18-22 fuel oil	$0.675–0.70	$0.70–0.73	.....	.....

Eastern Domestic Markets

New York, May 1—Several New York harbor suppliers advanced gasoline prices 0.25¢ Friday, bringing tank car price of 65 octane and above grade to 7.25¢. Most major companies already were quoting 7.25¢, but have reported only occasional sales in the open market. Several suppliers, however, made no change in their 7¢ tank car price and intimated they might not do so until the retail situation became more settled.

Kerosine was dull.

May 1 prices for tank car lots (unless otherwise noted) f.o.b. refinery or seaboard terminal and representing majority of quotations and sales to jobbers and/or consumers, were:

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* For shipment to Texas and New Mexico destinations; Group 3 prices are quoted on northern shipments.

** For shipment to western Oklahoma and Texas differential territory; Group 3 prices are quoted on northern shipments.

*** Nominal.

	Motor Gasoline 60-64 Octane	Motor Gasoline 65 Octane & Above	Water White Kerosine
New York harbor	6.75–7	7–7.25	4.625
New York harbor, barges	6.50–6.75	6.75–7	4.50
Philadelphia district	6.75	7.00	4.875–5
Baltimore district	6.75	7.00	5.25
Norfolk district	6.75	7.00	5.25
Wilmington, N. C. district	6.75	7.00	5.25
Charleston district	6.75	7.00	5.25
Savannah district	6.75	7–7.25	5.50–5.75
Jacksonville district	6.75	7–7.25	5.50–5.75
Portland district	7.25	7.50	5.50
Boston district	6.75–7	7–7.25	5.00
Boston district, barges	6.50–6.75	6.75–7	4.875
Providence district	7.00	7.25	5.00
Providence district, barges	6.75	7.00	4.875

Gulf Coast Bulk Market

New York—May 1 prices f.o.b. ship at Gulf oil terminals, representing sellers' opinions, except those prices specified to the contrary, were: (Prices cover bulk shipments of 20,000 bbls. or more, unless otherwise noted.)

Export Shipment

U. S. Motor gasoline	5.50
60-62, 400 e.p. gasoline	5.50
61-63, 390 e.p. gasoline	5.625
64-66, 375 e.p. gasoline	5.75
44 w.w. kerosine	4.25
41-43 w.w. kerosine	3.75 -3.875
41-43 p.w. kerosine	3.75 -3.875

Domestic Shipment

Motor Gasoline,

59 octane & below	5.625-5.75
60-64 octane	6.00
65 octane & above	6.125-6.25
No. 1 fuel oil	3.75 -3.875
No. 2 fuel oil	3.50 -3.625
No. 4 fuel oil	3.125
41-43 w.w. kerosine	3.75 -3.875

Domestic and/or Export Shipment

*26-30 translucent gas oil	3.125-3.25
*30 + translucent gas oil	3.125-3.25
*30 + transparent gas oil	3.25

*Less than ½ of 1% sulfur.

Diesel oil, ships' bunkers	$1.50**
Grade C bunker oil, ships' bunkers	$0.90**
Grade C bunker oil, cargoes	$0.80

**Lighterage 5¢ per bbl. additional.

Arkansas Refinery Market

El Dorado—May 1 prices for shipment within Arkansas and into Louisiana were:

U. S. Motor Gasoline

62 octane & below	5.75
63 to 67 octane	6.50
68 to 70 octane (regular)	6.75
41-43 w.w. kerosin	4.75
No. 2 fuel oil	3.625
28-30 fuel oil, zero	3.25
20-24 fuel oil	$0.825-0.875
16-20 fuel oil	$0.725-0.775
10-14 fuel oil	$0.60-0.65

Ohio Gasoline Market

Cleveland—May 1 Standard Oil Co. of Ohio quoted 8.75¢ for U. S. Motor Gasoline and 9¢ for above 65 octane gasoline in tank cars, delivered anywhere in Ohio. Prices are exclusive of taxes.

5347 Bill Proposes Ban On "Unfair" Imports

Washington, May 1—Congressman Doughton, North Carolina, today introduced a bill (HR 12543) to protect American industry from products produced abroad or imported under unfair methods of competition. The President is authorized following investigation by the Federal Trade Commission to deny entry of "unfairly produced" products tending to destroy or substantially injure an industry, efficiently and economically operated in the United States, or to prevent the establishment of such an industry or to restrain or monopolize trade and commerce in the U. S. Bill has been referr d to the Ways and Means Committee, of which Doughton is chairman.

Louisiana Production Allowable Set at 212,725 Bbls. Daily

New Orleans, May 1—The Louisiana crude production allowable for May has been set at 212,725 bbls. daily by the Louisiana Conservation Department. The May figure represents an increase of 10,250 bbls. above the April allowable. The United States Bureau of Mines had estimated that market demand for Louisiana crude would be 170,500 bbls. daily during May.

The Rodessa field was allocated 50,750 bbls. of the total Louisiana allowable.

White Appointed to Bureau of Mines Post

Washington, May 1—Alfred G. White, of Swarthmore, Pa., has been appointed chief of the Petroleum Economics Division of the United States Bureau of Mines, it was learned today.

Alky-Gas Bill Hearing Called Off

Washington, May 1—Hearings on the Lea bill (HR 11398) to set up a fuel research commission for development and promotion of motor fuels made from "renewable sources of supply", scheduled for today, were called off. An effort will be made to hold the hearings sometime next week. Witnesses expected to appear include: Dr. Leo M. Christianson, consulting chemist of the Chemical Foundation, Inc.; Fred Brenckman, of National Grange; and G. W. Jones, of the Cleveland Tractor Co., Cleveland.

Michigan Refiners, Jobbers to Confer on Kerosine Marketing

Chicago, May 1—Conference between Michigan jobbers and refiners on marketing of kerosine refined in the state is to be held May 2 in Lansing.

First conference was held April 9, at the Michigan Petroleum Association's annual convention when jobbers criticized selling of Michigan kerosine to peddlers. Efforts to have committees representing jobbers, major refiners, and Michigan refiners discuss kerosine marketing have not been productive as yet, but meeting between two of these groups will be held tomorrow.

Mid-Continent First Quarter Net Up

Baltimore, May 1—Mid-Continent Petroleum Corp. reports for the quarter ended March 31, 1936 net income of $942,658, after all charges except provision for federal income tax. This is equal to 51¢ a share on 1,843,872 shares

(par $10) of capital stock. This compares with net loss of $173,057 the first quarter of 1935.

Pennsylvania Lubricating oils

Cleveland—May 1 quotations and/or sales prices to car unloaders were:

Bright Stock—No. 8 color

145-155 Vis. at 210, 540-550 flash,	
10 pour test	24 -24.50
15 pour test	23 -23.50
20 pour test	22 -22.50
25 pour test	21 -21.50

Cylinder Stocks

600 s.r. filterable	12.50-13
650 s.r.	13.50-14
600 flash	14.50-15
630 flash	17.50-18
600 Warren E.	15 -15.50

Viscous Neutrals—Vis. at 70

200 (180 at 100) No. 3 color, 420-425 flash,	
0 pour test	22.50-23
10 pour test	21.50-22
15 pour test	21 -21.50
25 pour test	20 -20.50
180 (165 at 100) No. 3 color, 410-415 flash,	
25 pour test	19 -19.50
150 (143 at 100) No. 3 color, 400-405 flash,	
0 pour test	19 -19.50
10 pour test	18 -18.50
15 pour test	17.50-18
25 pour test	16.50-17

North Louisiana Refinery Market

Shreveport—May 1 prices for shipment within Louisiana and into Arkansas were:

U. S. Motor Gasoline

62 octane & below	5.75
63 to 67 octane	6.50
68 to 70 octane (regular)	6.75
41-43 w.w. kerosine	4.50 -4.625
No. 2 fuel oil	3.25
U. G. I. gas oil	2.875-3
20-24 fuel oil	$1.05 -1.10
16-20 fuel oil	$0.95 -1.00
10-14 fuel oil	$0.70 -0.75

5348 GOVERNMENT EXHIBIT NO. 731.

Stipulation

Of the persons whose names appear on the documents covered by this stipulation and are hereinafter referred to, J. W. Carnes is General Sales Manager, Sinclair Refining Company, New York, N. Y.; H. H. Fuller is Manager of Bulk Sales, Sinclair Refining Company, New York, N. Y.; A. H. Sus is District Manager, Central District, Sinclair Refining Company, Chicago, Illinois; J. V. Dippel is District Manager, Western District, Sinclair Refining Company, Kansas City, Missouri; V. R. Tomlinson is Attorney, Southwestern District, Sinclair Refining Company, Fort Worth, Texas; W. A. Tracey is Bulk Sales Manager, Southwestern District, Sinclair Refining Company, Fort Worth, Texas; D. A. McDougald is a clerk in the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y.; D. D. Ginter is order and shipping clerk Western District, Sinclair Refining Company, Kansas City, Missouri; F. J. Carter is order and shipping clerk, Central District, Sinclair Refining Company, Chicago, Illinois; F. M. Boettner is a clerk in Tracey's Office; Miss K. C. Wells is secretary to J. W. Carnes; A. H. Blocker is a stenographer in Tracey's office.

Each of the above persons held the same positions at the time the documents referred to upon which their names or initials appear were written.

W. T. Dinkins was District Manager, Southwestern District, Sinclair Refining Company, Fort Worth, Texas during the years 1934, 1935 and 1936; and until about April 1, 1937.

Wherever used in the documents covered by this stipulation, JWC refers to J. W. Carnes, HHF refers to H. H. Fuller; AHS refers to A. H. Sus, JVD refers to J. V. Dippel; Tomlinson refers to V. R. Tomlinson; Tracey and WAT refer to W. A. Tracey; McD refers to D. A. McDougald; DDG refers to D. D. Ginter; FMB refers to F. M. Boettner, KCW and W refer to Miss K. C. Wells, AHB refers to A. H. Blocker; WTD refers to W. T. Dinkins; and S. R. Co. refers to Sinclair Refining Company.

Exhibit 345 was written by J. W. Carnes and was received at the office of the Bulk Sales Manager, Southwestern District, Sinclair Refining Company, Fort Worth,

Texas. Exhibit 346 was written by D. A. McDougald and was received at the office of the Bulk Sales Manager, Southwestern District, Sinclair Refining Company, Fort Worth, Texas, and at the office of the District Manager, Western District, Sinclair Refining Company, Kansas City, Missouri. Exhibit 347 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 350 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Re-
5349 fining Company, New York, N. Y. Exhibit 351 was written by J. W. Carnes and was received at the office of the Bulk Sales Manager, Southwestern District, Sinclair Refining Company, Fort Worth, Texas. Exhibit 352 was written by J. W. Carnes and was received at the office of the Bulk Sales Manager, Southwestern District, Sinclair Refining Company, Fort Worth, Texas. Exhibit 353 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 356 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. and at the office of the Manager of Bulk Sales, Sinclair Refining Company, New York, N. Y. Exhibit 358 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 359 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 360 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 362 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 365 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 369 was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 370 was written by Miss K. C. Wells and was received by J. W. Carnes. Exhibit 415 was written by W. A. Tracey and was received at the office of

the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 416 was written by W. A. Tracey and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 417 was written by W. A. Tracey and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 421 was written by W. A. Tracey and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 424 was written by J. W. Carnes and was received at the office of the Bulk Sales Manager, Southwestern District, Sinclair Refining Company, Fort Worth, Texas. Exhibit 426 was written by W. A. Tracey or F. M. Boettner and was mailed addressed as indicated. Exhibit 430 was written by W. A. Tracey and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 432 was written by W. A. Tracey and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 442 was written by W. A. Tracey or F. M. Boettner or A. H. Blocker and was received at the office of the General Sales Manager, Sinclair Refining Company, New York, N. Y. Exhibit 450 was written by W. A. Tracey and was received at the office of the District Manager, Western District, Sinclair Refining Company, Kansas City, Missouri. The stipulation that a document was received at a certain office is not to be taken as a stipulation that it was seen by any particular person in that office or by the person to whom it was addressed. Copies may be used in lieu of originals.

5350

All pencilled or other notations appearing on the above mentioned documents are specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5351 **DEFENSE EXHIBIT NO. 733.**

5352 November 3, 1937.

Annexed hereto is a set of organization charts of Tide Water Oil Company of Oklahoma, Tide Water Oil Company of New Jersey, Tide Water Oil Company of Delaware, Associated Oil Company of California and Tide Water Associated Oil Company of Delaware.

In the 1934-1935 term of office it will be noted that all of the outside Directors of Tide Water Oil Company of New Jersey were Directors of Tide Water Associated Oil Company of Delaware, but five of the outside Directors of Associated Oil Company of California were not Directors of Tide Water Associated Oil Company of Delaware.

In the 1935-1936 term of office practically the same condition held true as above noted. In the term of office, however from the Annual Meetings in 1936 to the merging of Tide Water Oil Company of Delaware, Associated Oil Company of California and Tide Water Associated Oil Company of Delaware, Mr. Frank Haskell was an outside Director of Tide Water Oil Company of New Jersey, and subsequently of Tide Water Oil Company of Delaware, but was not a member of the Board of Directors of Tide Water Associated Oil Company of Delaware.

Throughout the whole series of the terms of office, excluding the Treasurers and Secretaries, Messrs. Humphrey, Shea and McKelvey were the only individuals to hold office both in Tide Water Oil Company of New Jersey and Tide Water Associated Oil Company of Delaware. There were three other officers in Tide Water Oil Company of New Jersey and five officers in Associated Oil Company of California who held no position in Tide Water Associated Oil Company of Delaware.

In the Directorates, Messrs. Humphrey, Shea, Salrin and McKelvey were Directors of both Tide Water Oil Company of New Jersey and Tide Water Associated Oil Company of Delaware. Noel Robinson was a Director of Tide Water Oil Company of New Jersey and subsequently Tide Water Oil Company of Delaware, but was never a Director of Tide Water Associated Oil Company of Delaware until a date subsequent to the merging of Tide Water Oil Company of Delaware, Associated Oil Company of California and Tide Water Associated Oil Company of Delaware on November 30, 1936. Actually Noel Robinson did not become an Officer and Director of Tide Water Associated Oil

Company of Delaware until December 17, 1936. There were four officers of Associated Oil Company of California that were never Directors of Tide Water Associated Oil Company of Delaware until a date subsequent to the merging of Tide Water Oil Company of Delaware, Associated Oil Company of California and Tide Water Associated Oil Company of Delaware.

5353 Tide Water Associated Oil Co. of Del.

From Reorganization 12/14/36—12/17/36
To Annual Meeting 5/6/37

Chairman, Board of Directors	None
President	William F. Humphrey
Executive Vice President	Edward L. Shea
Vice Presidents	Robert McKelvy Edward H. Salrin Ralph B. Pringle Noel Robinson Lloyd F. Bayer B. I. Graves L. D. Jurs C. R. Barton J. D. Collins L. C. Decius G. J. Hanks J. H. Jenkins R. E. Ryerson
Treasurer	Kenneth R. Hankinson
Secretary	William J. Burker
Directors a) Company Officers	William F. Humphrey Edward L. Shea Robert McKelvy Edward H. Salrin Ralph B. Pringle Noel Robinson Lloyd F. Bayer B. I. Graves L. D. Jurs

b) Outside

Adolphe Boissevain
George N. Armsby
Henry W. de Forest
Elisha Walker
H. Paul Grimm
Paul Shoup
Alden Anderson
Robert M. Sands
Frank Haskell
C. M. Cadman
J. A. Chansler
J. F. Forbes
J. A. McCarthy

10/20/37

N. R.

TERM OF OFFICE

	Tide Water Oil Co. of Okla. From Annual Meeting 5/6/36 To Dissolution 11/12/36	Tide Water Oil Co. of N. J. From Annual Meeting 5/6/36 to 9/3/36	Associated Oil Co. of Cal. From Annual Meeting 4/7/36 To Merger with T. W. A. 11/30/36	Tide Water Associated Oil Co. of Del. From Annual Meeting 5/7/36 to Reorganization subsequent to Merging of T. W. and of A. into T. W. A. on 11/30/36. Date of Reorganization 12/14/36 – 12/17/36
		Tide Water Oil Co. of Del. From Organization 7/23/36 To Merger with T. W. A. 11/30/36		
Chairman, Board of Directors	None	William F. Humphrey	None	None
President	Edward L. Shea	Edward L. Shea	William F. Humphrey	William F. Humphrey
Vice-Presidents			Edward L. Shea	Edward L. Shea
1st V.P.	Edward H. Salrin	Robert McKelvy	Lloyd F. Bayer	Robert McKelvy
	Ralph B. Pringle	Edward H. Salrin	B. I. Graves	
	C. R. Barton	Ralph B. Pringle	J. H. Jenkins	
	John W. Warner	Noel Robinson	L. D. Jurs	
	J. R. Gahan		W. A. Sloan	
Treasurer	Kenneth R. Hankinson	Kenneth R. Hankinson	W. A. Sloan	Kenneth R. Hankinson
Secretary	Y. P. Broome	William J. Burker	J. P. Edwards	William J. Burker
Directors				
(a) Company Officers		William F. Humphrey	William F. Humphrey	William F. Humphrey
	Edward L. Shea	Edward L. Shea		Edward L. Shea
	Edward H. Salrin	Edward H. Salrin	Lloyd F. Bayer	Edward H. Salrin
	Ralph B. Pringle	Robert McKelvy	B. I. Graves	Robert McKelvy
	John W. Warner	Noel Robinson	L. D. Jurs	
	Y. P. Broome	William J. Burker (Succeeded F. I. Fallon 7/22/36)		
(b) Outside		Frank Haskell	H. Paul Grimm	Adolphe Boissevain
		George N. Armsby	Paul Shoup	George N. Armsby
		Henry W. de Forest	Alden Anderson	Henry W. de Forest
		Elisha Walker	Robert M. Sands	Elisha Walker
		H. Paul Grimm	F. H. Buck	H. Paul Grimm
		Paul Shoup	C. M. Cadman	Paul Shoup
			J. A. Chanslor	Alden Anderson
			J. F. Forbes	Robert M. Sands
			J. A. McCarthy	

10/20/37

Defense Exhibit No. 733.

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TERM OF OFFICE

	Tide Water Oil Co. of Okla. (Owned 100% by Tide Water of N. J.)	Tide Water Oil Co of N. J.	Associated Oil Co. of Cal.	Tide Water Associated Oil Co. of Del.
Chairman, Board of Directors	None	William F. Humphrey	None	None
President	Edward L. Shea	Edward L. Shea	William F. Humphrey	William F. Humphrey
Vice-Presidents			Edward L. Shea	Edward L. Shea
1st V.P.	Edward H. Salrin	Robert McKelvy	Lloyd F. Bayer	Robert McKelvy
	Ralph B. Pringle	Edward H. Salrin	B. I. Graves	
	C. R. Barton	Ralph B. Pringle (Elec. 10/24/35)	J. H. Jenkins	
	J. W. Warner	Noel Robinson	L. D. Jurs	
	J. R. Gahan		W. A. Sloan	
Treasurer	Kenneth R. Hankinson	Kenneth R. Hankinson	W. A. Sloan	Kenneth R. Hankinson
Secretary	Y. P. Broome	William J. Burker	J. P. Edwards	William J. Burker
Directors (a) Company Officers		William F. Humphrey	William F. Humphrey	William F. Humphrey
	Edward L. Shea	Edward L. Shea		Edward L. Shea
	Edward H. Salrin	Edward H. Salrin		Edward H. Salrin
	Ralph B. Pringle	Robert McKelvy	Lloyd F. Bayer	Robert McKelvy
	J. W. Warner	Noel Robinson	B. I. Graves	
	Y. P. Broome	Francis I. Fallon	L. D. Jurs	
(b) Outside		George N. Armsby		Adolphe Boissevain
		Henry W. de Forest		George N. Armsby
		Elisha Walker	H. Paul Grimm	Henry W. de Forest
		J. Paul Getty	Paul Shoup	Elisha Walker
		H. Paul Grimm	Alden Anderson	J. Paul Getty
		Paul Shoup	F. H. Buck	H. Paul Grimm
			C. M. Cadman	Paul Shoup
			J. A. Chanslor	Alden Anderson
			J. F. Forbes	
			J. A. McCarthy	
			[illegible]	

TERM OF OFFICE

	Tide Water Oil Co. of Okla. (Owned 100% by Tide Water of N. J.)	Tide Water Oil Co. of N. J.	Associated Oil Co. of Cal.	Tide Water Associated Oil Co. of Del.
Chairman, Board of Directors	None	William F. Humphrey	None	None
President	Edward L. Shea	Edward L. Shea	William F. Humphrey	William F. Humphrey
Vice-Presidents			Edward L. Shea	Edward L. Shea
1st V.P.	Edward H. Salrin	Robert McKelvy	Lloyd F. Bayer	Robert McKelvy
	Ralph B. Pringle	Edward H. Salrin	B. I. Graves	Paul Shoup (Resigned 2/8/35)
	C. R. Barton	Noel Robinson	J. H. Jenkins	
	J. W. Warner		L. D. Jurs	
	J. R. Gahan		W. A. Sloan	
Treasurer	Kenneth R. Hankinson	Kenneth R. Hankinson	W. A. Sloan	Kenneth R. Hankinson
Secretary	Y. P. Broome	William J. Burker	J. P. Edwards	William J. Burker
Directors				
(a) Company Officers	Edward L. Shea	William F. Humphrey	William F. Humphrey	William F. Humphrey
	Edward H. Salrin	Edward L. Shea		Edward L. Shea
	Ralph B. Pringle	Edward H. Salrin	Lloyd F. Bayer	Edward H. Salrin
	J. W. Warner	Robert McKelvy	B. I. Graves	Robert McKelvy
	Y. P. Broome	Noel Robinson	L. D. Jurs	
		Francis I. Fallon	J. P. Edwards	
(b) Outside		George N. Armsby		William A. Coulter (Resigned 2/8/35)
		Henry W. de Forest		Adolphe Boissevain (Succeed W. A. Coulter 2/8/35)
		Elisha Walker	H. Paul Grimm	George N. Armsby
		J. Paul Getty	Paul Shoup	Henry W. de Forest
		H. Paul Grimm	Alden Anderson	Elisha Walker
		Paul Shoup	F. H. Buck	J. Paul Getty
			C. M. Cadman	H. Paul Grimm
			J. A. Chanaler	Paul Shoup
			J. F. Forbes	Alden Anderson
			J. A. McCarthy	

10/20/37

N.R.

Defense Exhibit No. 733.

3217

5356 Tide Water Oil Co. Revised 9-29-37

EAST TEXAS SPOT MARKET PURCHASES FOR RESALE TO OTHERS

Period January 1, 1931 to December 31, 1936

Refiner	Actual Purchase Date	Purchase Order Date	Purchase Order Number	Cars Buyers	Cars Others	Number of Cars Purchased Reg.	Number of Cars Purchased 3rd Grade	Pr. Basis	Shipment Date	Gallons Shipped Reg.	Gallons Shipped 3rd Grade
Altitude Petroleum Corp.....	5-24 34	5-25-34	P-60	1			1	Flat	5-25-34		7,940
"	(1)	6-14-34	P-87	5			5	Flat	6-15-34		7,973
								Flat	6-15-34		8,008
								Flat	6-15-34		8,039
								Flat	6-16-34		8,075
								Flat	6-16-34		7,991
	6-15-34	6-15-34	P-90	1			1	Flat	6-17-34		8,104
	6-14-34	6-14-34	P-88	2			2	Flat	6-17-34		8,115
								Flat	6-16-34		7,969
	6-29-34	6-29-34	P-114	1			1	Flat	6-29-34		7,916
							10				80,139
Century Refining Company...	7- 1-35	7- 2-35	P-376		6		6	Flat	7- 2-35		8,127
									7- 2-35		8,127
									7- 3-35		7,938
									7- 3-35		7,912
									7- 5-35		7,947
									7- 5-35		7,920
							6				47,971
East Texas Refining Company.	7-30-35	7-30-35	P-399		2		2	Flat	8- 6-35		7,962
								Flat	8- 6-35		7,985
	8- 9-35	8- 9-35	P-411		3		3	Flat	8-17-35		7,982
									8-17-35		7,994

EAST TEXAS SPOT MARKET PURCHASES FOR RESALE TO OTHERS

Period January 1, 1931 to December 31, 1936

Refiner	Actual Purchase Date	Purchase Order Date	Purchase Order Number	Cars Buyers	Cars Others	Number of Cars Purchased Reg.	Number of Cars Purchased 3rd Grade	Pr. Basis	Shipment Date	Gallons Shipped Reg.	Gallons Shipped 3rd Grade
Grogan Oil Company	9-21-35	9-23-35	P-440		3		3	Flat	9-21-35		8,059
											7,957
											7,962
	(1)	12-13-35	P-480		1		1	Flat	12-16-35		8,088
							4				32,066
Kilgore Refining Company	6- 8-34	6-11-34	P-81		1		1	Flat	6-11-34		7,972
	(1)	6-13-34	P-86		1		1	Flat	6-14-34		7,953
	6-15-34	6-15-34	P-91		1		1	Flat	6-16-34		8,072
							3				23,997
Marathon Oil Co	(1)	4-11-34	P-51	1			1	1/8 under low quot. on U. S. M. under 59 Octane in Chicago Journal 4-11	4-14-34		8,148
	4-14-34	4-14-34	P-50	1			1	Flat	4-17-34		8,036
	4-16-34	4-16-34	P-52	1			1	Flat	4-25-34		8,028
	4-25-34	4-25-34	P-58	1			1	Flat	4-27-34		8,046
							4				32,258
Overton Refining Company	6- 7-34	6- 7-34	P-80	1			1	Flat	6- 9-34		8,031
	(1)	6-12-34	P-85	1			1	Flat	6-14-34		8,002

Refiner	Actual Purchase Date	Purchase Order Date	Purchase Order Number	Cars Buyers	Cars Others	Number of Cars Purchased Reg.	Number of Cars Purchased 3rd Grade	Pr. Basis	Shipment Date	Gallons Shipped Reg.	Gallons Shipped 3rd Grade
Overton Refining Co.(Cont'd).	6- 8-34	6-12-34	P-84	1			1	Flat	6-14-34		8,003
	(1)	6-20-34	P-98	3			3	Flat	6-22-34		7,978
								Flat	6-23-34		7,936
								Flat	6-23-34		7,949
	6-18-34	6-18-34	P-95	2			2	Flat	6-21-34		7,876
								Flat	6-21-34		7,965
	6-19-34	6-19-34	P-96	1			1	Flat	6-22-34		7,908
	6-21-34	6-21-34	P-101	1			1	Flat	6-23-34		7,916
	(1)	6-20-34	P-100	4			4	Flat	6-26-34		7,906
								Flat	6-23-34		7,984
								Flat	6-23-34		7,908
								Flat	6-26-34		7,985
	6-27-34	6-27-34	P-109	1			1	Flat	6-28-34		7,944
	6-27-34	6-28-34	P-110	2			2	Flat	6-28-34		7,934
								Flat	6-29-34		7,974
	6-30-34	7- 2-34	P-115	2			2	Flat	6-30-34		7,899
									7- 1-34		7,983
	6-26-34	6-26-34	P-106	1			1	Flat	6-27-34		7,985
	(1)	6-28-34	P-111	2			2	Flat	6-30-34		7,894
								Flat	6-30-34		7,985
	(1)	7- 2-34	P-116	2			2	Flat	7- 4-34		8,026
								Flat	7- 4-34		7,975
5361											
	(1)	7- 6-34	P-125	3			3	Flat	7- 6-34		8,006
									7- 7-34		8,006
									7- 7-34		7,887
	(1)	7- 5-34	P-123		2		2	Flat	7- 6-34		8,017
								Flat	7- 6-34		8,014
	7- 3-34	7- 5-34	P-121	5			5	Flat	7- 4-34		8,020
									7- 5-34		7,902
									7- 5-34		7,988
									7- 5-34		7,932
									7- 6-34		8,026
	(1)	7- 3-34	P-114	1			1	Flat	7- 4-34		8,029
	7- 7-34	7- 9-34	P-128	2			2	Flat	7- 8-34		8,029
								Flat	7- 8-34		7,980

	7- 9-34	7-10-34	P-130	2	3	5	Flat	7-10-34	8,006
							Flat	7-10-34	7,974
							Flat	7-10-34	8,010
							Flat	7-10-34	7,962
							Flat	7-10-34	7,999
	7-11-34	7-11-34	P-137	2		2	Flat	7-12-34	7,953
							Flat	7-12-34	8,003
	7-12-34	7-12-34	P-138	1		1	Flat	7-13-34	7,896
	7-14-34	7-14-34	P-141	2		2	Flat	7-18-34	8,024
							Flat	7-18-34	7,918
						47			374,597
Panama Refining Company....	6-22-34	6-22-34	P-103	4		4	Flat	6-26-34	8,060
							Flat	6-26-34	8,060
5363									
Panama Refining Company....							Flat	6-26-34	8,065
								6-28-34	8,076
			To Beloit Bulk Plant			4			32,261
Taylor Refining Co.....	1- 9-33	1-10-33	P-1890	4	1	5	Flat	1-12-33	8,267
								1-14-33	8,109
								1-17-33	8,134
								1-17-33	8,133
								1-13-33	8,043
	1-25-33	1-25-33	P-1913	1		1	Flat	1-25-33	8,079
	2-23-33	2-23-33	P-1951	2		2	Flat	2-26-33	8,030
								2-25-33	7,993
	3- 2-33	3- 2-33	P-1955		1	1	Flat	3- 5-33	8,202
	3-17-33	3-17-33	P-1975	2		2	Flat	3-18-33	8,049
								3-18-33	8,033
	3-18-33	3-18-33	P-1977	2		2	Flat	3-20-33	8,057
								3-19-33	8,031
	3-23-33	3-23-33	P-1980	1		1	Flat	3-24-33	8,065
	3-30-33	3-30-33	P-1990	1		1	Flat	3-31-33	8,015
	4-11-33	4-11-33	P-2003	1		1	Flat	4-12-33	8,026
	4-19-33	4-19-33	P-2011	5		5	Flat	4-20-33	8,026
								4-20-33	7,980
								4-20-33	8,035
								4-20-33	7,997
								4-20-33	8,014

Refiner	Actual Purchase Date	Purchase Order Date	Purchase Order Number	Cars Buyers	Cars Others	Number of Cars Purchased Reg.	Number of Cars Purchased 3rd Grade	Pr. Basis	Shipment Date	Gallons Shipped Reg.	Gallons Shipped 3rd Grade
Taylor Refining Co.....	(1)	4-20-33	P-2013	5		5		Flat	4-20-33	7,989	
									4-23-33	8,019	
									4-23-33	7,999	
									4-23-33	7,992	
	(1)	4-26-33	P-2016	5		5		Flat	4-23-33	8,027	
									4-28-33	8,075	
									4-28-33	8,085	
									5- 3-33	8,080	
	(1)	5-11-33	P-2028	To Beloit Bulk Plant 4		4			5- 3-33	7,998	
									4-28-33	8,024	
									5-13-33	8,039	
									5-13-33	7,962	
	5-18-33	5-18-33	P-2034	1					5-14-33	7,951	
	5-20-33	5-20-33	P-2038	1		1			5-14-33	7,965	
	5-24-33	5-24-33	P-2040	1		1			5-20-33	7,955	
						1			5-21-33	7,959	
									5-25-33	7,989	
						38					305,426
Texas Oil Products Co.....	(1)	12- 5-34	P-296	2		2		Low quot. on U. S. M. under 62 Octane in Chicago Journal date of shipment	12- 7-34	8,212	
									12- 7-34	8,213	
	(1)	1-15-35	P-306	1		1		Flat	1-15-35	8,144	
						3					24,569
Union Refining Co.....	7-11-34	7-11-34	P-136	25							

								7-12-34	8,037
								7-13-34	7,925
								7-24-34	7,934
								7-26-34	7,983
								7-27-34	7,996
								7-28-34	7,968
								7-29-34	7,921
								7-29-34	7,898
								7-28-34	7,978
				To Beloit Bulk Plant				8- 1-34	7,984
								8- 2-34	7,988
								8- 2-34	7,978
								8- 4-34	7,994
								8- 6-34	7,857
								8- 6-34	7,965
								8- 6-34	7,897
								8- 6-34	7,911
								8- 7-34	7,957
								8- 7-34	7,874
								8- 9-34	7,977
								8-10-34	7,995
								8-12-34	7,879
								8-14-34	7,947
								8-23-34	7,954
	8-14-34	8-14-34	P-167	2		2	Flat	8-16-34	7,958
								8-16-34	7,969
	(1)	8-18-34	P-171	1		1	Flat	8-23-34	7,954
	8-17-34	8-17-34	P-170	1		1	Flat	8-23-34	7,960
	(1)	8-24-34	P-181	1		1	Flat	8-27-34	7,864
5365									
	8-27-34	8-27-34	P-182	1		1	Flat	8-30-34	7,854
	(1)	8-23-34	P-179	2		2	Flat	8-27-34	7,887
								8-27-34	7,995
	(1)	8-30-34	P-189	1	To Beloit Bulk Plant	1	Flat	9- 1-34	7,983
	8-28-34	8-28-34	P-187	1		1	Flat	8-30-34	7,964
	(1)	8-31-34	P-194	1		1	Flat	9- 1-34	7,957
	9- 1-34	9- 4-34	P-195	1		1	Flat	9- 3-34	7,967
	(1)	9- 4-34	P-198	1		1	Flat	9- 6-34	8,016
	(1)	9- 6-34	P-201	1		1	Flat	9- 7-34	8,072
	(1)	9-12-34	P-208	2		2	Flat	9-13-34	7,996
								9-13-34	7,809

Refiner	Actual Purchase Date	Purchase Order Date	Purchase Order Number	Cars Buyers	Cars Others	Number of Cars Purchased Reg.	Number of Cars Purchased 3rd Grade	Pr. Basis	Shipment Date	Gallons Shipped Reg.	Gallons Shipped 3rd Grade
Union Refining Co.....	(1)	9-10-34	P-205	1			1	Flat	9-11-34		8,006
	(1)	9-11-34	P-206	1			1	Flat	9-12-34		8,004
	(1)	9-14-34	P-212	1			1	Flat	9-15-34		7,935
	(1)	9-17-34	P-213	2			2	Flat	9-16-34		7,879
									9-16-34		7,990
	(1)	9-20-34	P-218	1			1	Flat	9-21-34		7,937
	(1)	9-19-34	P-217	1			1	Flat	9-20-34		7,951
	9-22-34	9-24-34	P-221	2			2	Flat	9-23-34		8,004
									9-23-34		7,927
	(1)	9-26-34	P-225	3			3	Flat	9-28-34		7,993
									9-28-34		7,985
									9-28-34		7,003
5366											
	(1)	9-25-34	P-224	1	1		1	Flat	9-26-34		7,821
	(1)	9-24-34	P-223	1			1	Flat	9-26-34		7,915
	9-29-34	9-29-34	P-231	2			2	Flat	9-30-34		7,996
									9-30-34		7,907
	(1)	10- 4-34	P-238	1			1	Flat	10- 5-34		8,021
	(1)	10- 3-34	P-236	1			1	Flat	10- 5-34		7,944
	(1)	10- 6-34	P-242	2			2	Flat	10- 7-34		8,003
				To Beloit Bulk Plant				Flat	10- 8-34		8,026
	10- 4-34	10- 5-34	P-240	1			1	Flat	10- 7-34		7,936
	(1)	10- 8-34	P-243	1			1	Flat	10- 9-34		8,000
	10- 9-34	10- 9-34	P-244	3			3	Flat	10-10-34		7,992
								Flat	10-10-34		8,006
								Flat	10-10-34		7,935
	10-12-34	10-12-34	P-247	2			2	Flat	10-13-34		8,024
								Flat	10-16-34		7,953
	(1)	10-18-34	P-252	1			1	Flat	10- 8-34		8,026
	(1)	10-22-34	P-255	1			1	Flat	10-23-34		7,923
	10-13-34	10-15-34	P-249	1			1	Flat	10-15-34		8,004
							71				565,131

SUMMARY

(1) The only purchase date information available is date of purchase order.
(2) Price Basis is f. o. b. Group 3.

Purchases from Members of the Association:

	Number of Cars	Gallons	Total
Century Refining Company	6	47,971	
East Texas Refining Company	5	39,852	
Grogan Oil Company	4	32,066	
Texas Oil Products Company	3	24,569	
			144,458

Purchases from Non-Members of the Association:

Altitude Petroleum Corporation	10	80,139	
Kilgore Refining Company	3	23,997	
Marathon Oil Company	4	32,258	
Overton Refining Company	47	374,597	
Panama Refining Company	4	32,261	
Taylor Refining Company	38	305,426	
Union Refining Company	71	565,131	
			1,413,809
			1,558,267

DEFENSE EXHIBIT NO. 739.

THE PURE OIL COMPANY

5369

Source of Supply and Disposition of Gasoline by Months from January 1931 to June 1937 Inclusive
(Quantities in Gallons)

Year and Month	Gasoline Manufactured by Pure from Crude Oil and Natural Gasoline	Gasoline Purchased by Pure From Other Than Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Purchased by Pure From Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Acquired by Pure Through Processing Contracts with Other Refiners	Total	Gasoline Sales
1931								
Jan.	36,459,089	584,999	37,044,088	16,499	37,060,587		37,060,587	30,350,695
Feb.	33,114,879	407,631	33,522,510	16,274	33,538,784		33,538,784	28,393,924
March	40,455,702	1,082,333	41,538,035		41,538,035		41,538,035	32,909,317
April	37,913,455	843,848	38,757,303		38,757,303		38,757,303	39,465,599
May	36,105,790	817,794	36,923,584	48,650	36,972,234		36,972,234	44,032,897
June	42,392,672	515,009	42,907,681	7,983	42,915,664		42,915,664	47,267,526
July	40,281,081	492,330	40,773,411		40,773,411		40,773,411	52,353,117
Aug.	43,773,661	720,430	44,494,091	23,992	44,518,083		44,518,083	47,863,949
Sept.	40,410,340	651,227	41,061,567	27,899	41,089,466		41,089,466	44,526,216
Oct.	45,648,862	594,975	46,243,837	82,602	46,326,439		46,326,439	44,140,857
Nov.	43,306,405	733,838	44,040,243	32,170	44,072,413		44,072,413	41,989,004
Dec.	45,793,494	757,180	46,550,674	63,953	46,614,627		46,614,627	40,450,723
1932								
Jan.	44,123,244	685,541	44,808,785	63,717	44,872,502		44,872,502	35,945,272
Feb.	40,025,595	765,851	40,791,446	28,659	40,820,105		40,820,105	32,782,405
March	40,993,751	476,753	41,470,504	30,360	41,500,864		41,500,864	37,586,008
April	41,298,213	828,876	42,127,089	23,946	42,151,035		42,151,035	42,264,642
May	43,091,655	551,368	43,643,023	14,010	43,657,033		43,657,033	42,995,918
June	42,646,624	625,111	43,271,735	31,891	43,303,626		43,303,626	54,355,288
July	40,628,554	850,729	41,479,283	15,689	41,494,972		41,494,972	36,845,811
Aug.	39,463,014	2,472,988	41,936,002	21,706	41,957,708		41,957,708	48,442,160

Source of Supply and Disposition of Gasoline by Months from January 1931 to June 1937 Inclusive
(Quantities in Gallons)

Year and Month.	Gasoline Manufactured by Pure from Crude Oil and Natural Gasoline	Gasoline Purchased by Pure From Other Than Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Purchased by Pure From Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Acquired by Pure Through Processing Contracts with Other Refiners	Total	Gasoline Sales
Sept.	40,417,450	1,868,294	42,285,744	23,931	42,309,675		42,309,675	46,125,804
Oct.	40,298,043	967,731	41,265,774	79,107	41,344,881		41,344,881	44,747,531
Nov.	42,639,206	799,084	43,438,290	50,841	43,489,131		43,489,131	41,624,992
Dec.	42,666,645	1,019,703	43,686,348	66,131	43,752,479		43,752,479	38,615,438
1933.								
Jan.	40,309,460	1,341,837	41,651,297	32,862	41,684,159		41,684,159	38,142,514
Feb.	39,004,499	1,222,438	40,226,937	20,628	40,247,565		40,247,565	32,996,715
March	39,713,815	1,476,889	41,190,704	28,663	41,219,367		41,219,367	38,523,882
April	36,734,240	1,201,745	37,935,985	14,327	37,950,312		37,950,312	40,054,500
May	41,884,228	2,310,086	44,194,314	24,078	44,218,392		44,218,392	45,235,157
June	37,541,774	4,020,190	41,561,964	32,041	41,594,005		41,594,005	50,914,415
July	41,936,660	2,096,121	44,032,781	302,215	44,334,996		44,334,996	40,210,610
Aug.	40,512,148	2,862,052	43,374,200	41,670	43,415,870		43,415,870	47,321,053
Sept.	46,584,019	3,098,328	49,682,347	86,298	49,768,645		49,768,645	44,824,627
Oct.	41,613,550	6,787,313	48,400,863	48,799	48,449,662		48,449,662	40,210,391
Nov.	38,018,230	3,438,981	41,457,211		41,457,211		41,457,211	39,226,483
Dec.	39,129,919	1,480,920	40,610,839	16,185	40,627,024		40,627,024	32,010,575
1934								
Jan.	35,544,468	1,514,072	37,058,540	8,068	37,066,608		37,066,608	40,002,399
Feb.	31,083,881	841,131	31,925,012		31,925,012		31,925,012	35,236,382
March	34,955,975	735,915	35,691,890	32,521	35,724,411		35,724,411	37,035,450
Apr.	38,360,769	234,856	38,595,625	32,257	38,627,882		38,627,882	40,225,032
May	38,492,146	674,565	39,166,711	825,445	39,992,156		39,992,156	45,705,307
June	34,565,193	484,529	35,049,722	40,704	35,090,426		35,090,426	43,751,063
July	40,966,143	938,791	41,904,934	544,145	42,449,079		42,449,079	46,202,377
Aug.	40,029,432	1,653,266	41,682,698	669,722	42,352,420		42,352,420	47,967,129

(Quantities in Gallons)

Year and Month	Gasoline Manufactured by Pure from Crude Oil and Natural Gasoline	Gasoline Purchased by Pure From Other Than Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Purchased by Pure From Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Acquired by Pure Through Processing Contracts with Other Refiners	Total	Gasoline Sales
Sept	41,477,781	1,694,378	43 172,159	780,576	43,952,735		43,952,735	45,163.322
Oct	40,427,307	3,731,687	44,168,994	480,989	44,649,983		44,649,983	48,026,940
Nov	43,36),262	1,775,404	45,135,666	123,036	45,258,702		45,258,702	47,736,174
Dec	44,008,690	4,145,199	48,153,889	81,887	48,235,776		48,235,776	43,225,031
1935								
Jan	43,210,340	1,026,920	44,237,260	8,110	44,245,370		44,245,370	41,353,338
Feb	41,539,256	856,025	42,395,281		42,395,281	2,115,647	44,510,928	37,793,121
Mar	39,734,765	2,167,435	41,902,200	242,551	42,144,751	4,501,704	46,646,455	46,485,159
Apr	42,231,391	1,157,697	43,389,088	688,813	44,025,901	5,393,629	49,419,530	48,120,028
May	42,280,243	1,135,257	43,415,500	872,437	44,287,937	6,119,108	50,407,045	50,511,217
June	43,170,114	1,628,968	44,799,082	1,528,175	46,327,257	7,710,789	54,038,046	48,541,939
July	44,805,584	2,497,137	47,302,721	1,328,734	48,631,455	4,550,929	53,182,384	54,865,060
Aug	45,959,538	1,928,425	47,887,963	1,081,632	48,969,595	6,952,429	55,922,024	55,034,381
Sept	46,588,997	1,564,153	48,153,150	1,344,700	49,497,850	4,226,633	53,724,483	49,458,060
Oct	47,388,566	2,227,141	49,615,707	960,747	50,585,454	6,642,940	57,228,394	55,374,085
Nov	43,003,049	1,594,900	44,597,949	1,055,695	45,653,644	5,418,416	51,072,060	51,233,056
Dec	47,145,436	1,122,406	48,267,842	1,270,911	49,538,753	6,005,012	55,543,765	49,202,956
1936								
Jan	46,808,002	1,577,003	48,385,005	1,423,275	49,808,280	3,742,573	53,550,853	45,770,091
Feb	42,249,655	703,244	42,952,899	1,820,103	44,773,002	5,635,198	50,408,200	42,135,186
Mar	42,190,006	2,174,751	44,364,757	1,596,470	45,961,227	4,462,048	50,423,275	48,237,680
Apr	41,275,131	1,187,096	42,462,227	1,791,239	44,253,466	8,843,131	53,096,597	53,738,182
May	43,176,678	1,912,512	45,088,190	1,270,170	46,358,360	6,220,391	52,578,751	57,212,060
June	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

THE PURE OIL COMPANY

5372

Source of Supply and Disposition of Gasoline by Months from January 1931 to June 1937 Inclusive
(Quantities in Gallons)

Year and Month	Gasoline Manufactured by Pure from Crude Oil and Natural Gasoline	Gasoline Purchased by Pure From Other Than Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Purchased by Pure From Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Acquired by Pure Through Processing Contracts with Other Refiners	Total	Gasoline Sales
Sept	43,256,292	2,549,435	45,805,727	1,301,298	47,107,025	9,921,507	57,028,532	60,994,095
Oct	44,846,117	2,319,831	47,165,948	1,281,613	48,447,561	6,528,913	54,976,474	58,511,534
Nov	45,210,275	2,379,260	47,589,535	1,208,308	48,797,843	5,140,411	53,938,254	57,443,244
Dec	50,022,480	2,081,308	52,103,788	1,197,231	53,301,019	6,274,552	59,575,571	55,411,620
1937								
Jan	50,672,737	1,525,899	52,198,636	1,267,017	53,465,653	7,577,542	61,043,195	50,192,486
Feb	46,598,642	1,267,240	47,865,882	1,210,192	49,076,074	6,941,093	56,017,167	45,460,838
Mar	46,058,973	5,572,339	51,631,312	1,170,502	52,801,814	9,023,708	61,825,522	57,932,012
Apr	48,022,074	1,920,893	49,942,967	957,823	50,900,790	8,620,207	59,520,997	53,168,188
May	52,196,164	1,192,729	53,388,893	1,167,040	54,555,933	4,733,451	59,289,384	61,953,632
June	49,965,119	1,122,976	51,088,095	1,056,290	52,144,385	8,131,524	60,275,909	63,301,316

GALLONS

90,000,000
85,000,000
80,000,000
75,000,000
70,000,000
65,000,000
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15,000,000
10,000,000
5,000,000
0

ORANGE AREA—GASOLINE ACQUIRED THROUGH PROCESSING CONTRACTS WITH OTHER REFINERS.

BLUE AREA—GASOLINE PURCHASED FROM INDEPENDENT REFINERS IN EAST TEXAS AND MID-CONTINENT AREAS.

GREEN AREA—GASOLINE PURCHASED FROM OTHER THAN EAST TEXAS AND MID-CONTINENT INDEPENDENT REFINERS.

GASOLINE SALES

YELLOW AREA—GASOLINE MANUFACTURED BY PURE FROM CRUDE OIL AND NATURAL GASOLINE.

JAN. FEB. MAR. APR. MAY JUNE JULY AUG. SEP. OCT. NOV. DEC.

1931 1932 1933 1934 1935 1936 1937

CHART No. 1 MAP 4-A

5374 **DEFENSE EXHIBIT NO. 740.**

5375 **THE PURE OIL COMPANY** 11-8-37

Source of Supply and Disposition of Gasoline by Months from January, 1931, to June, 1937, inclusive
(Quantities in Gallons)

Year and Month	Gasoline Inventory Unavailable For Immediate Sale	Total Gasoline Inventory at End of Each Month	Gasoline Sales	Gasoline Inventory Available For Immediate Sale at End of Each Month (In Terms of Days' Supply)
1931				
Jan.	17,500,211	46,972,296	30,350,695	27.37
Feb.	19,217,008	52,117,158	28,393,924	32.72
Mar.	16,948,298	60,745,876	32,909,317	29.66
Apr.	21,725,812	60,037,580	39,465,599	26.14
May	22,910,316	52,976,917	44,032,897	19.23
June	22,683,686	48,625,055	47,267,526	14.43
July	24,255,199	37,045,349	52,353,117	10.54
Aug.	20,763,381	33,609,483	47,863,949	9.04
Sept.	20,281,691	30,262,733	44,536,216	5.09
Oct.	23,015,043	32,448,315	44,140,857	6.09
Nov.	23,921,136	34,531,724	41,969,004	11.33
Dec.	19,748,043	40,695,628	40,450,723	17.22
1932				
Jan.	20,726,044	49,622,858	35,945,272	24.27
Feb.	22,187,132	57,660,558	32,782,405	31.51
Mar.	19,356,794	61,575,414	37,586,008	27.19
Apr.	23,266,685	61,461,807	42,264,642	28.18
May	22,370,776	62,122,922	42,995,918	19.89
June	26,085,103	51,071,260	54,355,288	28.61
July	17,070,664	55,720,421	36,845,811	22.21
Aug.	21,014,205	49,235,976	48,442,150	18.36
Sept.	21,010,304	45,419,847	46,125,804	15.30
Oct.	23,331,363	42,017,197	44,747,531	13.19
Nov.	26,713,758	43,881,336	41,624,992	20.09
Dec.	18,852,057	49,018,377	38,615,438	21.96
1933				
Jan.	21,992,974	52,560,022	38,142,514	25.65
Feb.	22,332,177	59,810,872	32,996,715	32.06
Mar.	19,839,799	62,506,357	38,523,882	30.28
Apr.	22,050,002	60,402,169	40,054,500	25.26
May	23,535,852	59,385,404	45,235,157	20.59
June	24,433,828	50,064,994	50,914,415	24.23
July	18,629,576	54,189,380	40,210,610	22.05
Aug.	20,527,873	50,284,197	47,321,053	19.99
Sept.	20,417,618	55,238,215	44,824,627	26.41
Oct.	20,965,698	63,467,486	40,210,391	31.83
Nov.	22,347,327	65,696,214	39,236,483	45.00
Dec.	15,627,563	74,314,663	32,010,575	39.94

5376 THE PURE OIL COMPANY

Source of Supply and Disposition of Gasoline by Months from January, 1931, to June, 1937, inclusive
(Quantities in Gallons)

11-8-37

Year and Month	Gasoline Inventory Unavailable for Immediate Sale	Total Gasoline Inventory at End of Each Month	Gasoline Sales	Gasoline Inventory Available for Immediate Sale at End of Each Month in Terms of Days' Supply
1934				
Jan	23,065,383	71,378,872	40,002,399	38.29
Feb	23,847,983	68,067,502	35,236,382	39.92
Mar	19,073,257	66,756,463	37,035,450	32.98
Apr	22,143,880	65,159,313	40,225,032	28.07
May	23,780,471	59,446,162	45,705,307	26.37
June	20,996,135	50,785,525	43,751,063	19.71
July	21,405,561	47,032,227	46,202,377	16.94
Aug	20,808,141	41,417,518	47,967,129	13.84
Sept	20,571,893	40,206,931	45,163,372	9.79
Oct	25,041,247	36,829,974	48,026,940	6.05
Nov	27,195,298	34,352,502	47,736,174	9.51
Dec	21,102,460	39,363,247	43,225,031	12.86
1935				
Jan	22,208,928	42,255,279	41,353,338	11.80
Feb	26,328,372	48,973,086	37,793,121	16.55
Mar	24,154,620	49,134,382	46,485,159	14.27
Apr	26,246,178	50,433,884	48,120,028	12.09
May	30,741,690	50,329,712	50,511,217	16.12
June	24,249,666	55,825,819	48,541,939	15.41
July	28,559,790	54,143,143	54,865,060	17.42
Aug	23,209,098	55,030,786	55,034,381	19.55
Sept	22,808,100	59,297,200	49,458,069	16.18
Oct	30,399,054	61,151,509	55,374,085	19.32
Nov	28,131,588	60,990,513	51,233,056	21.29
Dec	27,193,110	67,331,322	49,202,956	28.33
1936				
Jan	25,504,962	75,112,084	45,770,091	31.02
Feb	29,836,096	83,992,953	42,135,186	36.56
Mar	25,796,274	85,570,693	48,237,680	31.91
Apr	28,309,806	84,929,108	53,738,182	32.00
May	25,724,496	80,295,790	57,212,069	26.33
June	27,763,722	74,416,482	59,853,399	25.75
July	22,765,764	65,077,480	62,187,603	19.51
Aug	26,948,502	61,946,739	60,594,524	16.94
Sept	27,505,296	57,981,176	60,994,095	15.37
Oct	28,978,866	54,446,116	58,511,534	10.81
Nov	33,745,906	50,941,126	57,443,244	15.14
Dec	23,875,908	55,105,077	55,411,620	14.60
1937				
Jan	31,467,198	65,955,786	50,192,486	22.95
Feb	28,696,290	76,512,115	45,460,838	25.61
Mar	28,660,968	80,405,625	57,932,012	28.00
Apr	30,778,104	86,758,434	53,168,188	27.49
May	31,815,462	84,094,186	61,953,632	25.46
June	30,374,946	81,068,779	63,301,316	23.79

INVENTORY AVAILABLE FOR IMMEDIATE SALE AT END OF EACH MONTH (IN TERMS OF DAYS SUPPLY)

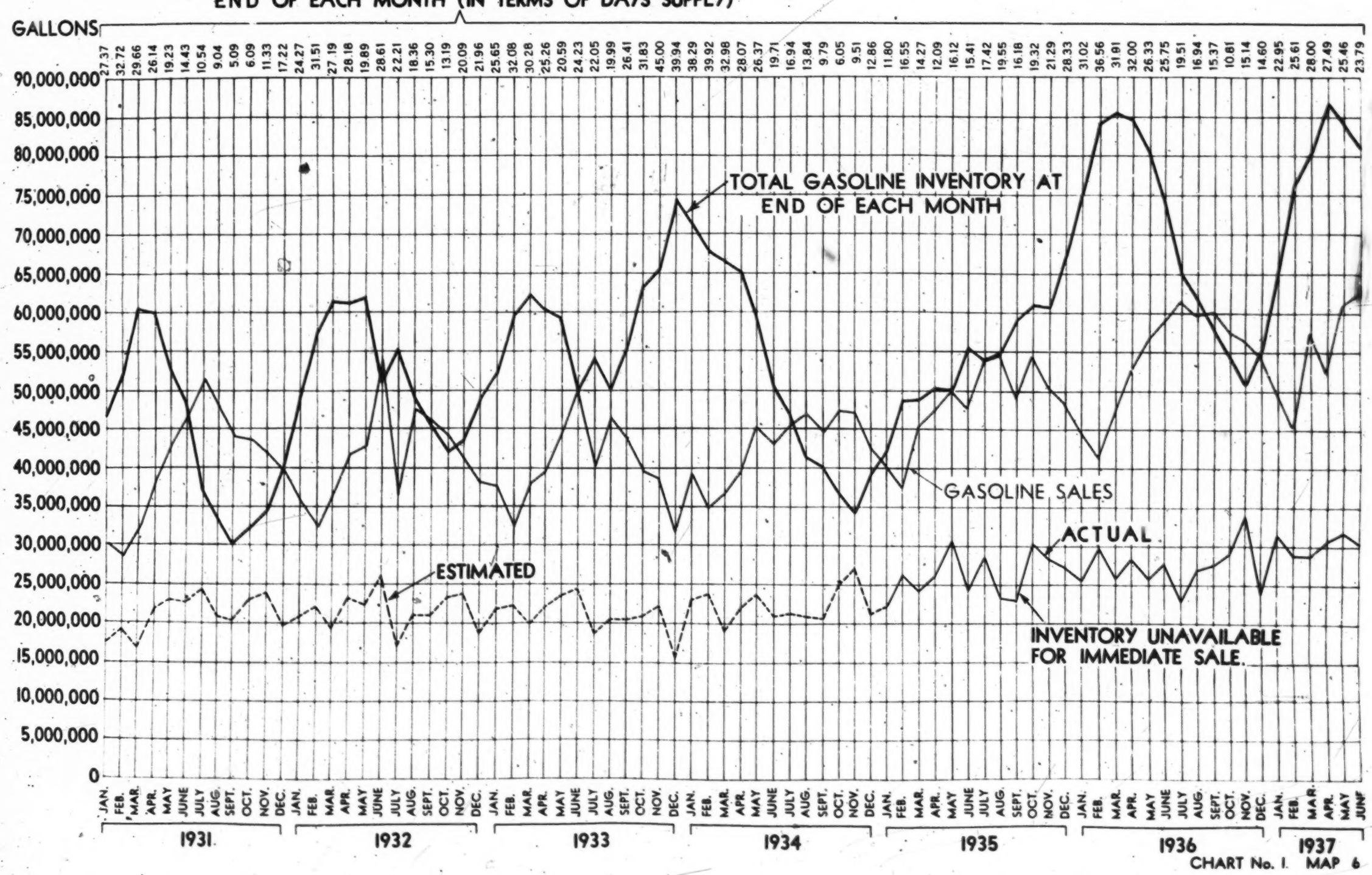

CHART No. I. MAP 6

THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	F.O.B.	Shipped From
		1935					1935		Cents		
Chief Refining Co.	Same	3/25	25494	10			3/25	–	3.875	Gladewater	Gladewater, Texas
"	"	3/29	25498	3			3/29	Association	"	"	" "
Arrow Refining Co.	"	3/29	25497	2			3/29	"	"	Overton	Overton, Texas
Trio Refining Co.	Grogan Oil Co.	3/29	25499	2			3/29	"	"	Arp	Arp, "
Texover Refining Co.	Same	3/29	25500	3			3/29	"	"	Overton	Overton, "
Grogan Oil Co.	Trio Refining Co.	4/6	25904	22			4/6	"	4.125	Arp	Arp, "
Chief Refining Co.	Same	4/6	25905	12			4/6	–	"	Gladewater	Gladewater, Texas
"	"	4/15	25909	15			4/15	Association	4.25	"	" "
Grogan Oil Co.	Oil Refineries	4/15	25910	24			4/15	"	4.25	Arp	Overton, "
"	Trio Refining Co.	4/24	25919	2			4/22	"	4.375	"	Arp, "
"	Oil Refineries	4/25	25920	20			4/22	"	"	Overton	Overton, "
"	"	4/30	25922	1			4/30	Telegram	"	Arp	" "
"	"	5/6	25927	20			5/6	Association	"	"	" "
"	Trio Refining Co.	5/9	25928	1			5/9	Telegram	"	"	Arp, "
"	"	5/13	25933	20			5/13	–	4.5	Overton	Arp, "
"	Oil Refineries								"	"	Overton, "
Chief Refining Co.	Same	5/13	25934	10			5/13	–	"	Gladewater	Gladewater, "
"	"	5/22	25950	10			5/22	Association	"	"	" "
Grogan Oil Co.	Trio Refining Co.	5/27	25955	4			5/27	"	"	Overton	Arp, "
"	Oil Refineries	5/27	25956	20			5/27	"	4.625	Overton	Overton, "
"	Trio Refining Co.								"	"	Arp, "
Chief Refining Co.	Same	5/27	25957	5			5/27	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	5/31	25960	5			5/31	–	"	Arp	Arp, "
"	Oil Refineries								"	Arp	Overton, "
"	"	6/4	25968	30			6/3	Association	"	"	" "
Chief Refining Co.	Same	6/8	25975	8			6/6	"	"	Gladewater	Gladewater, "
Texover Refining Co.	"	6/11	25980	5			6/8	"	"	Overton	Overton, "
Grogan Oil Co.	Oil Refineries	6/11	25977	20			6/10	"	"	Arp	Overton, "
"	Trio Refining Co.								"	"	Arp, "
Chief Refining Co.	Same	6/11	25979	10			6/10	"	"	Gladewater	Gladewater, "
Texover Refining Co.	"	6/17	25986	5			6/17	"	"	Overton	Overton, "
Chief Refining Co.	"	6/17	25987	10			6/17	"	"	Gladewater	Gladewater, "
Wabash Refining Co.	Merrimac Oil Co.	6/19	25992	3			6/19	–	"	"	" "
"	"	6/20	25993	2			6/20	Association	"	"	" "
Grogan Oil Co.	Oil Refineries	6/24	25997	20			6/24	"	"	Arp	Overton, "
"	Trio Refining Co.								"	"	Arp, "
Chief Refining Co.	Same	6/24	26001	10			6/24	Association	"	Gladewater	Gladewater, "
Texover Refining Co.	"	6/24	26002	5			6/24	"	"	Overton	Overton, "
Chief Refining Co.	"	7/3	26017	10			7/3	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	7/3	26018	15			7/3	"	"	Arp	Arp, "
"	Oil Refineries								"	"	Overton, "
Chief Refining Co.	Same	7/6	26021	5			7/6	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Oil Refineries	7/8	26022	20			7/8	"	"	Arp	Overton, "
"	Trio Refining Co.								"	"	Arp, "
Chief Refining Co.	Same	7/8	26023	15			7/8	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	7/16	26028	20			7/15	"	"	Arp	Arp, "
"	Oil Refineries								"	"	Overton, "
Chief Refining Co.	Same	7/16	26029	15			7/15	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	7/23	26038	20			7/22	"	"	Arp	Arp, "
"	Oil Refineries								"	Arp	Overton, "
Chief Refining Co.	Same	7/23	26039	10			7/22	"	"	Gladewater	Gladewater, "
Wabash Refining Co.	Merrimac Oil Co.	7/23	26040	5			7/22	"	"	"	" "
"	"	7/29	26046	5			7/29	"	"	"	" "
Grogan Oil Co.	Trio Refining Co.	7/31	26049	20			7/29	"	"	Arp	Arp, "
Chief Refining Co.	Same	7/29	26047	10			7/29	"	"	Gladewater	Gladewater, "

THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

(Spots on Charts for These Dates)

Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	Cars Shipped: On Flat Price Orders		Cars Shipped: At Market Quotations Date of Shipment			Specifications				
													Gum	
Date	Authority	Price	F.O.B.		Pur. Date	Cars	Ord. No.	Date Shipped	Cars	OCT.	GRAV.	RVP	ASTM	CD
												Lbs.	Mgs.	Mgs.
1935		Cents			1935									
3/25	–	3.875	Gladewater	Gladewater, Texas	3/25	10				59.	60/62	9	–	–
3/29	Association	"	"	" "	3/29	3				"	60.5	9	–	15
3/29	"	"	Overton	Overton, Texas	3/29	2				"	"	9	–	15
3/29	"	"	Arp	Arp, "	3/29	2				"	"	9	–	15
3/29	"	"	Overton	Overton, "	3/29	3				"	"	9	–	15
4/6	"	4.125	Arp	Arp, "	4/6	12				57.5	58/62	8	3.0	15
4/6	–	"	Gladewater	Gladewater, Texas	4/6	11				"	"	8	3.0	15
4/15	Association	4.25	"	" "	4/15	9				"	"	8	3.0	15
4/15	"	4.25	Arp	Overton, "	4/15	12				"	"	8	3.0	15
4/22	"	4.375	"	Arp, "	4/22	2				"	"	8	3.0	15
4/22	"	"	Overton	Overton, "	4/22	18				"	"	8½	3.0	15
4/30	Telegram	"	Arp	" "	4/30	1				58.5	"	8½	3.0	15
5/6	Association	"	"	" "	5/6	19				"	"	8½	3.0	15
5/9	Telegram	"	"	Arp, "	5/9	1				57.5	"	8½	3.0	15
5/13	–	4.5	Overton	Arp, "	5/13	10				"	"	8½	3.0	15
		"	"	Overton, "	5/13	10				58.5	"			
5/13	–	"	Gladewater	Gladewater, "	5/13	10				57.5	"	8½	3.0	15
5/22	Association	"	"	" "	5/22	10				"	"	8½	3.0	15
5/27	"	"	Overton	Arp, "	5/27	4				"	"	8½	3.0	15
5/27	"	4.625	Overton	Overton, "	5/27	9				58.5	"	8½	3.0	15
		"	"	Arp, "	5/27	12				57.5	"			
5/27	"	"	Gladewater	Gladewater, "	5/27	5				"	"	8½	3.0	15
5/31	–	"	Arp	Arp, "	5/31	1				"	"	8½	3.0	15
		"	Arp	Overton, "	5/31	2				58.5	"			
6/3	Association	"	"	" "	6/3	22				"	"	8½	3.0	15
6/6	"	"	Gladewater	Gladewater, "	6/6	8				57.5	"	8½	3.0	15
6/8	"	"	Overton	Overton, "	6/8	5				"	"	8½	3.0	15
6/10	"	"	Arp	Overton, "	6/10	7				58.5	"	8½	3.0	15
		"	"	Arp, "	6/10	12				57.5	"			
6/10	"	"	Gladewater	Gladewater, "	6/10	10				58.5	"	8½	3.0	15
6/17	"	"	Overton	Overton, "	6/17	5				57.5	"	8½	3.0	15
6/17	"	"	Gladewater	Gladewater, "	6/17	10				"	"	8½	3.0	15
6/19	–	"	"	" "	6/19	3				"	"	8½	3.0	15
6/20	Association	"	"	" "	6/20	2				"	"	8½	3.0	15
6/24	"	"	Arp	Overton, "	6/24	14				58.5	"	8½	3.0	15
		"	"	Arp, "	6/24	6				57.5	"			
6/24	Association	"	Gladewater	Gladewater, "	6/24	10				"	"	8½	3.0	15
6/24	"	"	Overton	Overton, "	6/24	5				"	"	8½	3.0	15
7/3	"	"	Gladewater	Gladewater, "	7/3	10				"	"	8½	3.0	15
7/3	"	"	Arp	Arp, "	7/3	9				"	"	8½	3.0	15
		"	"	Overton, "	7/3	5				58.5	"			
7/6	"	"	Gladewater	Gladewater, "	7/6	5				57.5	"	8½	3.0	15
7/8	"	"	Arp	Overton, "	7/8	15				58.5	"	8½	3.0	15
		"	"	Arp, "	7/8	5				57.5	"			
7/8	"	"	Gladewater	Gladewater, "	7/8	15				"	"	8½	3.0	15
7/15	"	"	Arp	Arp, "	7/15	12				"	"	8½	3.0	15
		"	"	Overton, "	7/15	8				58.5	"			
7/15	"	"	Gladewater	Gladewater, "	7/15	15				57.5	"	8½	3.0	15
7/22	"	"	Arp	Arp, "	7/22	13				"	"	8½	3.0	15
		"	Arp	Overton, "	7/22	5				58.5	"			
7/22	"	"	Gladewater	Gladewater, "	7/22	10				57.5	"	8½	3.0	15
7/22	"	"	"	" "	7/22	4				"	"	8½	3.0	15
7/29	"	"	"	" "	7/29	2				"	"	8½	3.0	15
7/29	"	"	Arp	Arp, "	7/29	8				58.5	"	8½	3.0	15
7/29	"	"	Gladewater	Gladewater, "	7/29	8				57.5	"	8½	3.0	15

Defense Exhibit No. 741.

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THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	Order and Invoice: F.O.B.	Shipped From
		1935					1935		Cents		
Grogan Oil Co.	Trio Refining Co.	8/6	26055	7			8/5	Association	4.625	Arp	Arp, Texas
"	Hurricane Petroleum Corp.	8/12	26063	10			8/12	"	"	Overton	Overton, Texas
"	"	8/12	26064	20			8/12	"	"	"	"
Wabash Refining Co.	Merrimac Oil Co.	8/13	26065	5			8/12	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Hurricane Petroleum Corp.	8/19	26070	3			8/19	"	"	Overton	Overton, "
"	Trio Refining Co.	8/19	26071	17			8/19	"	"	Arp	Arp, "
"	"	8/21	26074	10			8/21	–	"	"	"
"	"	8/26	26083	20			8/26	Association	"	"	"
Gilliland Refining Co.	Same	8/27	26084	13			8/26	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	9/3	26091	16			9/2	"	"	Arp	Arp, "
Gilliland Refining Co.	Same	9/3	26092	12			9/2	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	9/9	26096	16			9/9	"	"	Arp	Arp, "
Gilliland Refining Co.	Same	9/9	26097	12			9/9	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	9/18	26102	16			9/16	"	"	Arp	Arp, "
Gilliland Refining Co.	Same	9/18	26103	12			9/16	"	"	Gladewater	Gladewater, "
"	"	9/20	26104	5			9/19	"	"	"	"
Grogan Oil Co.	Trio Refining Co.	9/25	26111	16			9/23	"	"	Arp	Arp, "
Gilliland Refining Co.	Same	9/25	26112	12			9/23	"	"	Gladewater	Gladewater, "
Grogan Oil Co.	Trio Refining Co.	10/3	26120	25			9/30	"	"	Arp	Arp, "
"	"	10/7	26124	15			10/7	"	"	"	"
Gilliland Refining Co.	Same	10/9	26125	10			10/7	"	"	Overton	Overton, "
Grogan Oil Co.	Trio Refining Co.	10/14	26134	15			10/14	"	"	Arp	Arp, "
"	"	10/22	26141	15			10/21	"	"	"	"
"	"	10/28	26147	15			10/28	"	"	"	"
"	"	11/5	26156	15			11/4	"	"	"	"
Gilliland Refining Co.	Same	11/8	26162	15			11/8	–	"	Overton	Overton, "
Grogan Oil Co.	Trio Refining Co.	11/13	26168	15			11/11	Association	"	Arp	Arp, "
"	"	11/19	26174	15			11/18	"	"	"	"
"	"	11/27	26178	15			11/25	"	"	"	"
"	"	12/2	26181	15			12/2	"	"	"	"
"	"	12/12	26194	1			12/9	"	"	"	"
"	"	12/14	26196	14			12/9	"	"	"	"
"	"	12/19	26200	15			12/16	"	"	"	"
McMurray Refining Co.	Same	12/19	26199	15			12/18	"	"	"	"
East Texas Refining Co.	Same	12/27	26205	20			12/21	Letter	"	Longview	Longview, "
Grogan Oil Co.	Trio Refining Co.	12/27	26206	15			12/23	Association	"	Arp	Arp, "
"	"	12/31	26210	14			12/30	"	"	"	"
"	"	12/31	26211	1			12/30	Seitz Audit	"	"	"
Totals				1,011							

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THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. North Texas Refinery
62 and Below Octane

Simms Oil Co.	Same	1935 5/21			25946	1			Cents 4.625 Low Oilgram U. S. Motor, 62 and Below, No. Texas, Market, Date of Shipment, Harry's, Texas.		Harry's, Texas

THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

(Spots on Charts for These Dates)

Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	Cars Shipped: On Flat Price Orders			Cars Shipped: At Market Quotations Date of Shipment				Specifications				
															Gum	
Date	Authority	Price	F.O.B.		Pur.	Date	Cars	Ord. No.	Date Shipped	Cars		OCT.	GRAV.	RVP	ASTM	CD
1935		Cents			1935									Lbs.	Mgs.	Mgs.
8/5	Association	4.625	Arp	Arp, Texas	8/5		3					56.5	58/62	9	3.0	15
8/12	"	"	Overton	Overton, Texas	8/12		5					"	"	9	3.0	15
8/12	"	"	"	"	8/12		22					"	"	9	3.0	15
8/12	"	"	Gladewater	Gladewater, "	8/12		5					"	"	8½	3.0	15
8/19	"	"	Overton	Overton, "	8/19		3					"	"	9	3.0	15
8/19	"	"	Arp	Arp, "	8/19		17					"	"	9	3.0	15
8/21	–	"	"	"	8/21		10					"	"	9	3.0	15
8/26	Association	"	"	"	8/26		20					"	"	9	3.0	15
8/26	"	"	Gladewater	Gladewater, "	8/26		13					"	"	9	3.0	15
9/2	"	"	Arp	Arp, "	9/2		14					"	"	9	3.0	15
9/2	"	"	Gladewater	Gladewater, "	9/2		12					"	"	9	3.0	15
9/9	"	"	Arp	Arp, "	9/9		13					"	"	9	3.0	15
9/9	"	"	Gladewater	Gladewater, "	9/9		12					"	"	9	3.0	15
9/16	"	"	Arp	Arp, "	9/16		16					"	"	9	3.0	15
9/16	"	"	Gladewater	Gladewater, "	9/16		12					"	"	9	3.0	15
9/19	"	"	"	"	9/19		5					"	"	9	3.0	15
9/23	"	"	Arp	Arp, "	9/23		16					"	"	9	3.0	15
9/23	"	"	Gladewater	Gladewater, "	9/23		11					"	"	9	3.0	15
9/30	"	"	Arp	Arp, "	9/30		24					"	"	9	3.0	15
10/7	"	"	"	"	10/7		15					"	"	9	3.0	15
10/7	"	"	Overton	Overton, "	10/7		3					"	"	9	3.0	15
10/14	"	"	Arp	Arp, "	10/14		15					"	"	9	5.0	20
10/21	"	"	"	"	10/21		15					"	"	9	5.0	20
10/28	"	"	"	"	10/28		15					"	"	9	5.0	20
11/4	"	"	"	"	11/4		15					"	"	9	5.0	20
11/8	–	"	Overton	Overton, "	11/8		15					"	"	9½	5.0	20
11/11	Association	"	Arp	Arp, "	11/11		15					"	"	9	5.0	20
11/18	"	"	"	"	11/18		15					"	"	9	5.0	–
11/25	"	"	"	"	11/25		15					"	"	9	5.0	20
12/2	"	"	"	"	12/2		15					58/59.5	–	10	3.0	20
12/9	"	"	"	"	12/9		1					57.5	58/60	–	–	–
12/9	"	"	"	"	12/9		14					58/59.5	–	10	3.0	20
12/16	"	"	"	"	12/16		14					"	–	10	3.0	20
12/18	"	"	"	"	12/18		12					64	60/62	–		13/15
12/21	Letter	"	Longview	Longview, "	12/21		20					58/59.5	–	10	3.0	20
12/23	Association	"	Arp	Arp, "	12/23		15					"	–	10	3.0	20
12/30	"	"	"	"	12/30		15					"	–	10	3.0	20
12/30	Seitz Audit	"	"	"	12/30		1					57	58/60	–	–	–
							924									

THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. North Texas Refinery
62 and Below Octane

															Lbs.	Mgs.	Mgs.
1		Cents	4.625 Low Oilgram U. S. Motor, 62 and Below, No. Texas, Market, Date of Shipment, Harry's, Texas.	Harry's, Texas	1935	5/23	1	57	60/62	9½	–	15

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. Refineries & Group 3, Oklahoma; F.O.B. Group 3, North Texas; F.O.B. Refineries and Group 3, Kansas
63-70 Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	Order and Invoice: F.O.B.	Shipped From
		1935					1935		Cents		
H. F. Wilcox Oil & Gas Co.	Same	1/31	25464	1			1/31		4.375	Bristow	Bristow, Okla.
Panhandle Refining Co.	"	3/21	25491	10			3/21		4.75	Gr. 3 Okla.	Wichita Falls, Texas
"	"	3/29	25496	1			3/29		4.875	"	"
"	"	4/2	25901	1			4/2	Telegram	4.875	"	"
"	"	4/3	25902	1			4/3		4.875	"	"
"	"	4/4	25903	5			4/4		4.875	"	"
"	"	4/18	25915	3			4/18		5.25	"	"
"	"	4/18	25916	1			4/18		5.25	"	"
"	"	4/19	25917	2			4/19		5.25	"	"
"	"	4/22	25918	2			4/22	Telegram	5.25	"	"
"	"	5/3	25923	4			5/3		5.25	"	"
"	"	5/6	25924	1			5/6	Telegram	5.25	"	"
"	"	5/10	25930	2			5/10		5.25	"	"
"	"	5/16	25939	1			5/16	Telegram	5.375	"	"
Omar Refining Co.	"	5/24	25951	5			5/24		5.5	Garber	Garber, Okla
"	"	6/3			25962	25			5.625	"	"
Eason Oil Company	"	6/7	25974	1/2			6/7		5.625	Enid	Enid, Okla.
Omar Refining	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
"	"								5.625	"	"
Waggoner Refining Co.	"	7/5	26020	12			7/5		5.625	Gr. 3	Electra, Texas
"	"	7/16	26030	10			7/16		5.625	"	"
Wirt Franklin Petroleum Co.	"	7/16	26031	10			7/16		5.625	Ardmore	Ardmore, Okla.
Omar Refining Co.	"	8/7	26060	25			8/7		5.625	Garber	Garber, Okla.
"	"	8/22	26076	12			8/22		5.625	"	"
"	"	9/6	26094	13			9/6		5.625	"	"
Eason Oil Company	"	10/3	26119	35			10/3		5.625	"	"
Omar Refining Co.	"	10/14	26133	2/3			10/14		5.625	Enid	Enid, Okla.
"	"	11/1	26151	35			11/1		5.625	Garber	Garber, Okla.
"	"	12/7	26186	3			12/7		5.625	Garber	Garber, Okla.
"	"	12/11	26191	32			12/11		5.625	"	"
H. F. Wilcox Oil & Gas Co.	"	12/11	26193	15			12/11		5.625	Bristow	Bristow, Okla.
Total 65/70 Octane				242-1/6		25					

THE PURE OIL COMPANY

Chronological Listing of 1935 Purchase Orders
F.O.B. Refineries & Group 3, Oklahoma; F.O.B. Group 3, North Texas; F.O.B. Refineries and Group 3, Kansas
63-70 Octane

Purchase Orders					Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	(Spots on Charts for These Dates) Cars Shipped						Specifications				
	At Flat Prices		At Market Quotations Date of Shipment							On Flat Price Orders		At Market Quotations Date of Shipment							Gum	
Date of Order	No.	Cars	No.	Cars	Date	Authority	Price	F.O.B.		Pur. Date	Cars	Ord. No.	Date Shipped	Cars		OCT.	GRAV.	RVP	ASTM	CD
1935					1935		Cents			1935								Lbs.	Mgs.	Mgs.
1/31	25464	1			1/31		4.375	Bristow	Bristow, Okla.	1/31	1					67	60/62	–	–	–
3/21	25491	10			3/21		4.75	Gr. 3 Okla.	Wichita Falls, Texas	3/21	10					70/71	60.8	12	–	15
3/29	25496	1			3/29		4.875	"	"	3/29	1					"	"	12	–	15
4/2	25001	1			4/2	Telegram	4.875	"	"	4/2	1					"	"	12	–	15
4/3	25002	1			4/3		4.875	"	"	4/3	1					"	60.5	9½	–	15
4/4	25003	5			4/4		4.875	"	"	4/14	4					"	"	9½	–	15
4/18	25015	3			4/18		5.25	"	"	4/18	3					"	"	9½	–	15
4/18	25016	1			4/18		5.25	"	"	4/18	1					"	"	9½	–	15
4/19	25017	2			4/19		5.25	"	"	4/19	2					"	"	9½	–	15
4/22	25018	2			4/22	Telegram	5.25	"	"	4/22	2					"	"	9½	–	15
5/3	25023	4			5/3		5.25	"	"	5/3	4					"	"	9½	–	15
5/6	25024	1			5/6	Telegram	5.25	"	"	5/6	1					"	"	9½	–	15
5/10	25030	2			5/10		5.25	"	"	5/10	3					"	"	9½	–	15
5/16	25039	1			5/16	Telegram	5.375	"	"	5/16	1					"	"	9½	–	15
5/24	25951	5			5/24		5.5	Garber	Garber, Okla	5/24	5					"	"	9½	–	20
6/3			25062	25			5.625	"				25962	6/7	1		"	"	9½	–	20
6/7	25974	1/2			6/7		5.625	Enid	Enid, Okla.	6/7	½					"	"	9½	3.0	20
							5.625	"	" "			25962	6/8	4		"	"	9½	–	20
							5.625	"	" "			"	6/10	1		"	"	9½	–	20
							5.625	"	" "			"	6/13	3		"	"	9½	–	20
							5.625	"	" "			"	6/15	3		"	"	9½	–	20
							5.625	"	" "			"	6/18	4		"	"	9½	–	20
							5.625	"	" "			"	6/19	3		"	"	9½	–	20
							5.625	"	" "			"	6/21	1		"	"	9½	–	20
							5.625	"	" "			"	6/24	1		"	"	9½	–	20
							5.625	"	" "			"	6/26	1		"	"	9½	–	20
							5.625	"	" "			"	6/27	1		"	"	9½	–	20
							5.625	"	" "			"	6/29	1		"	"	9½	–	20
							5.625	"	" "			"	7/1	1		"	"	9½	–	20
7/5	26020	12			7/5		5.625	Gr. 3	Electra, Texas	7/5	12					"	"	9.5	3.0	20
7/16	26030	10			7/16		5.625	"	"	7/16	10					"	"	9.5	3.0	20
7/16	26031	10			7/16		5.625	Ardmore	Ardmore, Okla.	7/16	10					"	"	9.5	3.0	20
8/7	26060	25			8/7		5.625	Garber	Garber, Okla.	8/7	25					"	"	9.5	–	20
8/22	26076	12			8/22		5.625	"	"	8/22	12					"	"	9.5	–	20
9/6	26094	13			9/6		5.625	"	"	9/6	13					"	"	9.5	–	20
10/3	26119	35			10/3		5.625	"	"	10/3	35					"	"	12	3.0	20
10/14	26133	2/3			10/14		5.625	Enid	Enid, Okla.	10/14	2/3					"	60.5	12	3.0	20
11/1	26151	35			11/1		5.625	Garber	Garber, Okla.	11/1	35					70/71	"	12	3.0	20
12/7	26186	3			12/7		5.625	Garber	Garber, Okla.	12/7	3					"	"	12	3.0	20
12/11	26191	32			12/11		5.625	"	"	12/11	32					"	"	12	3.0	20
12/11	26193	15			12/11		5.625	Bristow	Bristow, Okla.	12/11	15					"	"	12	3.0	20
		243-1/6		25							243-1/6					25				

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. Refineries & Group 3, Oklahoma; F.O.B. Group 3, North Texas; F.O.B Refineries and Group 3, Kansas
62 and Below Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	Order and Invoice: F.O.B.	Shipped From
		1935					1935		Cents		
Vickers Petroleum Co.	Same	5/11	25932	10			5/11		4.5	Group 3	Potwin, Kas.
Simms Oil Co.	"	5/21	25945	5			5/21		4.625	Group 3	Harry's, Texas
"	"	5/27	25953	1			5/27		4.625	"	"
"	"	5/28	25958	2			5/28		4.625	"	"
Eason Oil Company	"	5/31	25959	2/3			5/31		4.625	Enid	Enid, Okla.
Simms Oil Co.	"	6/3	25963	10			6/3		4.625	Group 3	Harry's, Texas
Eason Oil Company	"	6/7	25973	2/3			6/7		4.75	Enid	Enid, Okla.
Texas Oil Products Co.	"	6/20	25994	5			6/20	Association	4.75	Group 3	Gladewater, Tex.
"	"	6/24	26003	6			6/20	"	4.75	"	"
"	"	6/27	26006	1			6/20	"	4.75	"	"
"	"	6/28	26008	2			6/20	"	4.75	"	"
"	"	6/29	26009	1			6/20	"	4.75	"	"
Taxman Refining Co.	"	9/9	26098	5			9/9		4.75	Group 3	Wichita Falls, Tex.
Panhandle Refining Co.	"	9/20	26105	5			9/20		4.5	Group 3, Okla.	Kings Mill, Tex.
Taxman Refining Co.	"	9/24	26110	5			9/24		4.75	Group 3	Wichita Falls, Tex.
H. F. Wilcox Oil & Gas Co.	"	10/4	26121	13			10/4		4.75	Bristow	Bristow, Okla.
Kanotex Refining Co.	"	10/29	26148	1/2			10/29		4.75	Arkansas City	Arkansas City, Ks.
H. F. Wilcox Oil & Gas Co.	"	11/1	26152	13			11/1		4.75	Bristow	Bristow, Okla.
Total 62 & below Octane				85 5/6							
Total 63/70 Octane				243 1/6		25					
Grand Total				329		25					

THE PURE OIL COMPANY
Chronological Listing of 1935 Purchase Orders
F.O.B. Refineries & Group 3, Oklahoma; F.O.B. Group 3, North Texas; F.O.B. Refineries and Group 3, Kansas
62 and Below Octane

Purchase Orders					Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	(Spots on Charts for These Dates) Cars Shipped					Specifications				
Date of Order	At Flat Prices No.	Cars	At Market Quotations Date of Shipment No.	Cars	Date	Authority	Price	F.O.B.		On Flat Price Orders Pur. Date	Cars	At Market Quotations Date of Shipment Ord. No.	Date Shipped	Cars	OCT.	GRAV.	RVP	Gum ASTM	Gum CD
1935					1935		Cents			1935									
5/11	25932	10			5/11		4.5	Group 3	Potwin, Kas.	5/11	10				50/52	61.9	8/9	–	–
5/21	25945	5			5/21		4.625	Group 3	Harry's, Texas	5/21	5				"	"	9½	–	15
5/27	25953	1			5/27		4.625	"	"	5/27	1				"	"	9½	–	15
5/28	25958	2			5/28		4.625	"	"	5/28	2				"	"	9½	–	15
5/31	25959	2/3			5/31		4.625	Enid	Enid, Okla.	5/31	2/3				–	58/60	–	–	–
6/3	25963	10			6/3		4.625	Group 3	Harry's, Texas	6/3	10				50/52	61.9	9½	–	15
6/7	25973	2/3			6/7		4.75	Enid	Enid, Okla.	6/7	2/3				–	58/60	–	–	–
6/20	25994	5			6/20	Association	4.75	Group 3	Gladewater, Tex.	6/20	5				57	60/62	9½	–	15
6/24	26003	6			6/20	"	4.75	"	"	6/20	6				"	"	9½	–	15
6/27	26006	1			6/20	"	4.75	"	"	6/20	1				"	"	9½	–	15
6/28	26008	2			6/20	"	4.75	"	"	6/20	2				"	"	9½	–	15
6/29	26009	1			6/20	"	4.75	"	"	6/20	1				"	"	9½	–	15
9/9	26096	5			9/9		4.75	Group 3	Wichita Falls, Tex.	9/9	5				49/54	58.8	9½	–	30
9/20	26105	5			9/20		4.5	Group 3, Okla.	Kings Mill, Tex.	9/20	5				"	"	12½	–	30
9/24	26110	5			9/24		4.75	Group 3	Wichita Falls, Tex.	9/24	5				"	"	12½	–	30
10/4	26121	13			10/4		4.75	Bristow	Bristow, Okla.	10/4	13				"	"	12½	–	30
10/29	26148	1/2			10/29		4.75	Arkansas City	Arkansas City, Ka.	10/29	½				–	–	–	–	–
11/1	26152	13			11/1		4.75	Bristow	Bristow, Okla.	11/1	13				49.54	58.8	12½	–	30
		85 5/6									85 5/6								
		243 1/6		25							243 1/6			25					
		329		25							329			25					

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

Name on Order	Shipped by	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	Order and Invoice: F. O. B.	Shipped From
		1936					1936		Cents		
Grogan Oil Co.	Trio Refining Co.	1/4	26213	1			1/4	Telegram	4.625	Arp, Texas	Arp
"	"	1/7	26220	15			1/6	Association	4.625	"	"
Gilliland Refining Co.	Same	1/10	26223	20			1/10	–	4.625	Overton, Tex.	Overton
Grogan Oil Co.	Trio Refining Co.	1/14	26224	15			1/13	Association	5.125	Arp, Texas	Arp
Gilliland Refining Co.	Same	1/14	26225	20			1/14	–	5.125	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	1/20	26231	15			1/20	Association	5.125	Arp, Texas	Arp
"	"	1/23	26232	10			1/20	Association	5.125	"	"
"	"	1/27	26237	20			1/27	Association	5.125	" "	"
Tyreco Refining Co.	Same	1/27	26234	1			1/27	Vendor's Confirmation	5.125	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	2/3	26242	15			2/3	Association	5.125	Arp, Texas	Arp
Tyreco Refining Co.	Same	2/5	26243	9			2/3	Association	5.125	Overton	Overton
Gilliland Refining Co.	Same	2/7	26250	15			2/3	Association	5.125	"	"
Hercules Oil Co.	Gilliland Refining Co.	2/7	26249	15			2/7	–	4.75	"	"
Grogan Oil Co.	Trio Refining Co.	2/10	26756	10			2/10	Association	5.125	Arp, Texas	Arp
Gilliland Refining Co.	Same	2/10	26755	15			2/10	Association	5.125	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	2/19	26765	5			2/10	Ass'n. & Seitz Audit	5	Arp, Texas	Arp
Premier Oil & Refining Co.	Same	2/10	26757	15			2/10	Association	5.125	Longview, Tex.	Willow Springs, Tex.
Grogan Oil Co.	Trio Refining Co.	2/12	26758	1			2/12	Telegram	5.125	Arp, Texas	Arp
Gilliland Refining Co.	Same	2/14	26762	10			2/14	–	4.75	Overton	Overton
Solvex Refineries, Inc.	Bell Oil & Gas Co.	2/19	26767	10			2/17	Association	5	Gladewater	Gladewater
Grogan Oil Co.	Trio Refining Co.	2/19	26766	5			2/17	Association	5	Arp, Texas	Arp
Solvex Refineries, Inc.	Bell Oil & Gas Co.	2/25	26772	10			2/24	Association	4.875	Gladewater	Gladewater
Tyreco Refining Co.	Same	2/25	26771	5			2/24	Association	4.875	Overton	Overton
Gilliland Refining Co.	Same	2/25	26770	15			2/24	Association	4.875	"	"
Grogan Oil Co.	Trio Refining Co.	3/4	26779	15			3/2	Association	4.875	Arp, Texas	Arp
Tower Refining Co.	Tyreco Refining Co.	3/4	26780	13			3/2	Association	4.875	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	3/9	26783	1			3/9	Ass'n. & Telegram	4.875	Arp, Texas	Arp
Tower Refining Co.	Tyreco Refining Co.	3/9	26785	10			3/9	Association	4.875	Overton	Overton
Solvex Refineries, Inc.	Bell Oil & Gas Co.	3/9	26786	8			3/9	Ass'n. & Telegram	4.875	Gladewater	Gladewater
Grogan Oil Co.	Trio Refining Co.	3/9	26784	9			3/9	Ass'n. & Telegram	4.875	Arp, Texas	Arp
"	"	3/18	26794	10			3/16	Association	5	"	"
Tower Refining Co.	Tyreco Refining Co.	3/18	26796	8			3/16	Association	5	Overton	Overton
Solvex Refineries, Inc.	Bell Oil & Gas Co.	3/18	26795	10			3/16	Association	5	Gladewater	Gladewater
Tower Refining Co.	Same	3/25	26799	10			3/23	Association	5	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	4/2	26802	15			3/30	Association	5	Arp, Texas	Arp
Solvex Refineries, Inc.	Bell Oil & Gas Co.	4/2	26804	10			4/1	Association	5	Gladewater	Gladewater
Tower Refining Co.	Tyreco Refining Co.	4/2	26803	10			4/1	Association	5	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	4/6	26809	15			4/6	Association	5	Arp, Texas	Arp
Trinity Refining Co.	Same	4/6	26811	10			4/6	Association	5	Gladewater	Gladewater
Tower Refining Co.	Tyreco Refining Co.	4/6	26810	10			4/6	Association	5	Overton	Overton
Gilliland Refining Co.	Same	4/14	26817	18			4/13	Association	5	"	"
Tower Refining Co.	Tyreco Refining Co.	4/14	26815	5			4/13	Association	5	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	4/14	26816	5			4/13	Association	5	Arp, Texas	Arp
Trinity Refining Co.	Same	4/14	26814	10			4/13	Association	5	Gladewater	Gladewater
Grogan Oil Co.	Trio Refining Co.	4/20	26821	9			4/20	Association	5	Arp, Texas	Arp
Tower Refining Co.	Tyreco Refining Co.	4/20	26823	10			4/20	Association	5	Overton	Overton
Grogan Oil Co.	Trio Refining Co.	4/20	26822	1			4/20	Association	5	Arp, Texas	Arp
Trinity Refining Co.	Same	4/20	26824	8			4/20	Association	5	Gladewater	Gladewater
Grogan Oil Co.	Trio Refining Co.	4/27	26827	13			4/27	Association	5	Arp, Texas	Arp
Gilliland Refining Co.	Same	4/27	26826	15			4/27	Association	5	Overton	Overton
Grogan Oil Co.	Hurricane Petroleum Co.	5/4	26833	14			5/4	Telegram	5	Arp, Texas	Overton & Arp

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	(Spots on Charts for These Dates) Cars Shipped					Specifications				
					On Flat Price Orders		At Market Quotations Date of Shipment						Gum	
Date	Authority	Price	F. O. B.		Pur. Date	Cars	Ord. No.	Date Shipped	Cars	OCT.	GRAV.	RVP	ASTM	CD
												Lbs.	Mgs.	Mgs.
1936		Cents			1936									
1/4	Telegram	4.625	Arp, Texas	Arp	1/4	1				57.5	58/60	.–	–	–
1/6	Association	4.625	"	"	1/6	13				58/59.5	–	10#	3	20
1/10	–	4.625	Overton, Tex.	Overton	1/10	20				56.5	58/62	11#	–	15
1/13	Association	5.125	Arp, Texas	Arp	1/13	15				58/59.5	–	10#	3	20
1/14	–	5.125	Overton	Overton	1/14	20				56.5	58/62	11#	–	15
1/20	Association	5.125	Arp, Texas	Arp	1/20	15				58/59.5	–	10#	3	20
1/20	Association	5.125	"	"	1/20	10				58/59.5	–	10#	3	20
1/27	Association	5.125	"	"	1/27	20				58/59.5	–	10#	3	20
1/27	Vendor's Confirmation	5.125	Overton	Overton	1/27	1				56.5	58/62	11#	–	15
2/3	Association	5.125	Arp, Texas	Arp	2/3	15				58/59.5	–	10#	3	20
2/3	Association	5.125	Overton	Overton	2/3	9				56.5	58/62	–	–	–
2/3	Association	5.125	"	"	2/3	15				56.5	58/62	11#	–	15
2/7	–	4.75	"	"	2/7	15				56.5	58/62	11#	–	15
2/10	Association	5.125	Arp, Texas	Arp	2/10	10				58/59.5	–	10#	3	20
2/10	Association	5.125	Overton	Overton	2/10	15				56.5	58/62	11#	–	15
2/10	Ass'n. & Seitz Audit	5	Arp, Texas	Arp	2/10	5				58/59.5	–	10#	3	20
2/10	Association	5.125	Longview, Tex.	Willow Springs, Tex.	2/10	15				56.5	58/62	11#	–	15
2/12	Telegram	5.125	Arp, Texas	Arp	2/12	1				57.5	58/60	10#	3	20
2/14	–	4.75	Overton	Overton	2/14	10				56.5	58/62	11#	–	15
2/17	Association	5	Gladewater	Gladewater	2/17	10				"	"	11#	–	20
2/17	Association	5	Arp, Texas	Arp	2/17	5				58/59.5	–	10#	3	20
2/24	Association	4.875	Gladewater	Gladewater	2/24	10				57	58/62	11#	5*	20
2/24	Association	4.875	Overton	Overton	2/24	5				"	"	11#	5*	20
2/24	Association	4.875	"	"	2/24	3				"	"	11#	–	15
3/2	Association	4.875	Arp, Texas	Arp	3/2	15				"	"	11#	5*	20
3/2	Association	4.875	Overton	Overton	3/2	13				"	"	11#	5*	20
3/9	Ass'n. & Telegram	4.875	Arp, Texas	Arp	3/9	1				"	58/60	–	–	–
3/9	Association	4.875	Overton	Overton	3/9	10				"	58/62	11#	5*	20
3/9	Ass'n. & Telegram	4.875	Gladewater	Gladewater	3/9	8				"	"	11#	5*	20
3/9	Ass'n. & Telegram	4.875	Arp, Texas	Arp	3/9	9				"	"	11#	5*	20
3/16	Association	5	"	"	3/16	10				56.5	"	10#	–	20
3/16	Association	5	Overton	Overton	3/16	8				"	"	10#	–	20
3/16	Association	5	Gladewater	Gladewater	3/16	10				"	"	10#	–	20
3/23	Association	5	Overton	Overton	3/23	10				"	"	10#	–	20
3/30	Association	5	Arp, Texas	Arp	3/30	15				"	"	10#	–	20
4/1	Association	5	Gladewater	Gladewater	4/1	4				"	"	10#	–	20
4/1	Association	5	Overton	Overton	4/1	10				"	"	10#	–	20
4/6	Association	5	Arp, Texas	Arp	4/6	15				"	"	10#	–	20
4/6	Association	5	Gladewater	Gladewater	4/6	10				"	"	10#	–	20
4/6	Association	5	Overton	Overton	4/6	10				"	"	10#	–	20
4/13	Association	5	"	"	4/13	18				"	"	10#	–	20
4/13	Association	5	Overton	Overton	4/13	5				"	"	10#	–	20
4/13	Association	5	Arp, Texas	Arp	4/13	5				"	"	10#	–	20
4/13	Association	5	Gladewater	Gladewater	4/13	10				"	"	10#	–	20
4/20	Association	5	Arp, Texas	Arp	4/20	9				"	"	10#	3	20
4/20	Association	5	Overton	Overton	4/20	10				"	"	10#	3	20
4/20	Association	5	Arp, Texas	Arp	4/20	1				57	58/60	–	–	–
4/20	Association	5	Gladewater	Gladewater	4/20	8				56.5	58/62	10#	3	20
4/27	Association	5	Arp, Texas	Arp	4/27	13				"	"	10#	3	20
4/27	Association	5	Overton	Overton	4/27	15				"	"	10#	3	20
5/4	Telegram	5	Arp, Texas	Overton & Arp	5/4	14				"	"	10#	3	20

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

Name on Order	Shipped by	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	F. O. B.	Shipped From
		1936					1936		Cents		
Grogan Oil Co.	Hurricane Petroleum Corp.	9/8	26954	9			9/7	Association	4.625	Arp, Texas	Arp
Danciger Oil & Refining Co.	Same	9/8	26955	10			9/7	Association	4.625	Bodie, Texas	Bodie
Gilliland Refining Co.	General American Oil Co.	9/8	26956	5			9/7	Association	4.625	Arp, Texas	Arp
Danciger Oil & Refining Co.	Same	9/15	26960	10			9/14	Association	4.5	Bodie, Texas	Bodie
Grogan Oil Co.	Hurricane Petroleum Corp.	9/15	26959	15			9/14	Association	4.5	Arp, Texas	Arp & Overton
" " "	" " "	9/23	26971	19			9/21	Association	4.5	Arp, Texas	Arp
" " "	" " "	9/23	26969	1			9/23	Telegram	4.5	Arp, Texas	"
" " "	" " "	9/29	26980	9			9/28	"	4.5	" "	"
" " "	" " "	10/6	26990	15			10/5	Association	4.5	" "	"
" " "	" " "	10/8	26991	10			10/5	Association	4.5	" "	"
Premier Oil Refining Co.	Same	10/13	26994	11			10/12	Association	4.625	" "	"
Grogan Oil Co.	Hurricane Petroleum Corp.	10/13	26995	10			10/12	Association	4.625	Longview, Tex.	Willow Springs, Tex.
" " "	" " "	10/20	27007	15			10/19	Association	4.625	Arp, Texas	Arp
Gilliland Refining Co.	General American Oil Co.	10/28	27014	15			10/26	Association	4.625	" "	"
Grogan Oil Co.	Hurricane Petroleum Corp.	10/28	27015	15			10/26	Association	4.625	" "	"
Gilliland Refining Co.	General American Oil Co.	11/4	27029	15			11/2	Association	4.5	Arp, Texas	Arp
" " "	" " "	11/4	27030	10			11/4	—	4.5	" "	"
Grogan Oil Co.	Hurricane Petroleum Corp.	11/9	27038	10			11/7	Vendor's Confirmation	4.5	" "	Arp & Overton
" " "	" " "	11/9	27037	15			11/9	Association	4.5	Arp, Texas	Overton
" " "	" " "	11/16	27043	15			11/16	Association	4.5	" "	Arp
" " "	" " "	11/20	27050	10			11/20	—	4.5	" "	"
" " "	" " "	11/24	27356	15			11/23	Association	4.625	" "	"
" " "	" " "	11/27	27357	10			11/23	Association	4.625	" "	"
" " "	" " "	12/1	27360	1			12/1	Telegram & Ass'n.	4.625	" "	"
" " "	" " "	12/3	27365	14			12/1	Association	4.625	" "	"
" " "	" " "	12/4	27369	10			12/4	—	4.625	" "	"
" " "	" " "	12/8	27372	15			12/7	Association	4.625	" "	"
Gilliland Refining Co.	General American Oil Co.	12/10	27377	5			12/7	Association	4.625	" "	"
" " "	" " "	12/10	27378	5			12/10	—	4.625	" "	Overton
Grogan Oil Co.	Hurricane Petroleum Corp.	12/15	27384	10			12/14	Association	4.625	Overton	"
" " "	" " "	12/15	27383	10			12/14	Association	4.625	Arp, Texas	Arp
Gilliland Refining Co.	General American Oil Co.	12/18	27386	5			12/14	Association	4.625	" "	"
Grogan Oil Co.	Hurricane Petroleum Corp.	12/21	27390	10			12/21	Association	4.625	Overton	Overton
" " "	" " "	12/21	27388	1			12/21	Association	4.625	Arp, Texas	Arp
	" " "	12/21	27389	14			12/21	Association	4.625	" "	"
		12/29	27400	1			12/29	—	4.625	" "	"
	Total			1,332							

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. East Texas Refineries
62 and Below Octane

(Spots on Charts for These Dates)

Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	Cars Shipped				Specifications				
					On Flat Price Orders		At Market Quotations Date of Shipment					Gum	
Date	Authority	Price	F. O. B.		Pur. Date	Cars	Ord. No. Date Shipped	Cars	OCT.	GRAV.	RVP	ASTM	CD
1936		Cents			1936								
9/7	Association	4.625	Arp, Texas	Arp	9/7	9			56.5	58/62	10#	3	20
9/7	Association	4.625	Bodie, Texas	Bodie	9/7	10			"	"	9#	–	–
9/7	Association	4.625	Arp, Texas	Arp	9/7	5			"	"	10#	3	20
9/14	Association	4.5	Bodie, Texas	Bodie	9/14	10			"	"	9#	–	–
9/14	Association	4.5	Arp, Texas	Arp & Overton	9/14	15			"	"	10#	3	20
9/21	Association	4.5	Arp, Texas	Arp	9/21	20			"	"	10#	3	20
9/23	Telegram	4.5	Arp, Texas	"	9/23	1			"	"	–	–	–
9/28	"	4.5	" "	"	9/28	9			"	"	10#	5*	20
10/5	Association	4.5	" "	"	10/5	15			"	"	10#	5*	20
10/5	Association	4.5	" "	"	10/5	10			"	"	10#	5*	20
10/12	Association	4.625	" "	"	10/12	11			"	"	10#	5*	20
10/12	Association	4.625	Longview, Tex.	Willow Springs, Tex.	10/12	10			"	"	10#	5*	20
10/19	Association	4.625	Arp, Texas	Arp	10/19	15			"	"	10#	5*	20
10/26	Association	4.625	" "	"	10/26	15			"	"	10#	5*	20
10/26	Association	4.625	" "	Arp	10/26	15			"	"	10#	5*	20
11/2	Association	4.5	Arp, Texas	"	11/2	15			"	"	10#	5*	20
11/4	–	4.5	" "	Arp & Overton	11/4	10			"	"	10#	5*	20
11/7	Vendor's Confirmation	4.5	" "	Overton	11/7	1			"	"	10#	5*	20
11/9	Association	4.5	Arp, Texas	Arp	11/9	15			"	"	10#	5*	20
11/16	Association	4.5	" "	"	11/16	15			"	"	10#	5*	20
11/20	–	4.5	" "	"	11/20	10			"	"	10#	5*	20
11/23	Association	4.625	" "	"	11/23	15			"	"	10#	5*	20
11/23	Association	4.625	" "	"	11/23	10			"	"	10#	5*	20
12/1	Telegram & Ass'n.	4.625	" "	"	12/1	1			"	"	10#	5*	20
12/1	Association	4.625	" "	"	12/1	14			"	"	10#	3	20
12/4	—	4.625	" "	"	12/4	10			"	"	10#	3	20
12/7	Association	4.625	" "	"	12/7	15			"	"	10#	3	20
12/7	Association	4.625	" "	"	12/7	5			"	"	10#	3	20
12/10	–	4.625	" "	Overton	12/10	5			"	"	10#	3	20
12/14	Association	4.625	Overton	"	12/14	10			"	"	10#	3	20
12/14	Association	4.625	Arp, Texas	Arp	12/14	10			"	"	10#	3	20
12/14	Association	4.625	" "	"	12/14	5			"	"	10#	3	20
12/21	Association	4.625	Overton	Overton	12/21	10			"	"	10#	3	20
12/21	Association	4.625	Arp, Texas	Arp	12/21	1			"	"	10#	3	20
12/21	Association	4.625	" "	"	12/21	14			"	"	10#	3	20
12/29	–	4.625	" "	"	12/29	1			"	"	10#	3	20
						1,304							

* Gum content measured by porcelain dish.

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3 Kansas, and F.O.B. Refineries and Group 3, Louisiana
63-70 Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	Order and Invoice: F.O.B.	Shipped From
		1936					1936		Cents		
H. F. Wilcox Oil & Gas Co.	Same	1/6	26214	8			1/6		5.625	Bristow, Okla.	Bristow, Okla.
Omar Refining Co.	"	1/6	26216	15			1/6		5.625	Garber, Okla.	Garber, Okla.
"	"	1/14	26216	20			1/14		6.125	"	"
H. F. Wilcox Oil & Gas Co.	"	1/14	26214	7			1/14		6.125	Bristow, Okla.	Bristow, Okla.
Kanotex Refining Co.	"	1/20	26228	2/3			1/20		6.125	Arkansas City, Kan.	Ark. City, Kans.
H. F. Wilcox Oil & Gas Co.	"	2/1	26239	15			1/31	Seitz Audit	6.125	Bristow, Okla.	Bristow, Okla.
Omar Refining Co.	"	2/1	26238	40			2/1		6.125	Garber Okla.	Garber, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.	2/7	26248	25			2/7		6.125	Shreveport, La.	Shreveport, La.
H. F. Wilcox Oil & Gas Co.	Same	3/4	26775	25			3/3	Seitz Audit	6.125	Bristow, Okla.	Bristow, Okla.
Omar Refining Co.	"	3/4	26776	30			3/4		6.125	Garber, Okla.	Garber, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.	3/4			26611	30			6	As agreed on date of shipment FOB Shreveport	Shreveport, La.
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"	3/16			26623	15			6	Low Gr. 3 Mkt. 63/70 Octane per Chgo. Jo. of Com. on date of shipment F.O.B. Shreveport	"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
"	"								6		"
Omar Refining Co.	Same	4/4	26807	20			4/4		6	Garber, Okla.	Garber, Okla.
Eason Oil Co.	"	4/4	26808	20			4/4		6	Enid	Enid, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.	3/31			26637	30			6	Low Gr. 3 Mkt. 63/70 Octane per Chgo. Jo. of Com. on date of shipment FOB Shreveport	Shreveport, La.
"	"								6		"
"	"								6		"
"	"								6		"
Total 63-70 Octane				225-2/3		75					

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3 Kansas, and F.O.B. Refineries and Group 3, Louisiana
63-70 Octane

(Spots on Charts for These Dates)

Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	F.O.B.	Shipped From	Cars Shipped: On Flat Price Orders: Pur. Date	Cars	At Market Quotations Date of Shipment: Ord. No.	Date Shipped	Cars	Specifications: OCT.	GRAV.	RVP	Gum: ASTM	Gum: CD
1936					1936		Cents			1936			1936				Lbs.	Mgs.	Mgs.
1/6	26214	8			1/6		5.625	Bristow, Okla.	Bristow, Okla.	1/6	8				70/71	60.5	12	3.0	20
1/6	26216	15			1/6		5.625	Garber, Okla.	Garber, Okla.	1/6	15				"	"			
1/14	26216	20			1/14		6.125	"	"	1/14	21				"	"			
1/14	26214	7			1/14		6.125	Bristow, Okla.	Bristow, Okla.	1/14	7				"	"			
1/20	26228	2/3			1/20		6.125	Arkansas City, Kan.	Ark. City, Kans.	1/20	2/3				"	"			
2/1	26239	15			1/31	Seitz Audit	6.125	Bristow, Okla.	Bristow, Okla.	1/31	15				"	"	12	3.0	20
2/1	26238	40			2/1		6.125	Garber Okla.	Garber, Okla.	2/1	40				"	"			
2/7	26248	25			2/7		6.125	Shreveport, La.	Shreveport, La.	2/7	25				"	63.3/64.5	10	3.0	20
3/4	26775	25			3/3	Seitz Audit	6.125	Bristow, Okla.	Bristow, Okla.	3/3	25				"	60.5	12	3.0	20
3/4	26776	30			3/4		6.125	Garber, Okla.	Garber, Okla.	3/4	30				"	"			
3/4			26611	30			6	(As agreed on date of shipment FOB Shreveport)	Shreveport, La.			26611	3/4	4	"	63.3/64.5	9½	3.0	20
							6		"			"	3/5	1	"	"	9½	3.0	20
							6		"			"	3/7	3	"	"	9½	3.0	20
							6		"			"	3/9	2	"	"	9½	3.0	20
							6		"			"	3/10	1	"	"	9½	3.0	20
							6		"			"	3/11	2	"	"	9½	3.0	20
							6		"			"	3/12	3	"	"	9½	3.0	20
							6		"			"	3/13	2	"	"	9½	3.0	20
							6		"			"	3/16	4	"	"	9½	3.0	20
3/16			26623	15			6	(Low Gr. 3 Mkt. 63/70 Octane per Chgo. Jo. of Com. on date of shipment F.O.B. Shreveport)	"			26623	3/17	2	"	"	9½	3.0	20
							6		"			"	3/18	1	"	"	9½	3.0	20
							6		"			"	3/19	1	"	"	9½	3.0	20
							6		"			26611	3/19	3	"	"	9½	3.0	20
							6		"			"	3/20	3	"	"	9½	3.0	20
							6		"			26623	3/20	2	"	"	9½	3.0	20
							6		"			"	3/21	2	"	"	9½	3.0	20
							6		"			26611	3/21	2	"	"	9½	3.0	20
							6		"			26623	3/23	2	"	"	9½	3.0	20
							6		"			"	3/25	1	"	"	9½	3.0	20
							6		"			"	3/26	2	"	"	9½	3.0	20
							6		"			"	3/27	1	"	"	9½	3.0	20
							6		"			"	3/30	1	"	"	9½	3.0	20
4/4	26807	20			4/4		6	Garber, Okla.	Garber, Okla.	4/4	20								
4/4	26808	20			4/4		6	Enid	Enid, Okla.	4/4	20						12	3.0	20
3/31			26637	30			6	(Low Gr. 3 Mkt. 63/70 Octane per Chgo. Jo. of Com. on date of shipment FOB Shreveport)	Shreveport, La.			26637	4/7	3	"	"	8	3.0	20
							6		"			"	4/8	2	"	"	8	3.0	20
							6		"			"	4/9	2	"	"	8	3.0	20
							6		"			"	4/11	5	"	"	8	3.0	20
							6		"			"	4/14	3	"	"	8	3.0	20
		225-3/3		75							226 2/3			60					

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	F.O.B.	Shipped From
		1936					1936		Cents		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.	Low Gr. 3 Mkt. 63/70 Octane per Chgo. Jo. of Com. on date of shipment F.O.B. Shreveport	Shreveport, La.
"	"								6.	"	"
"	"								6.	"	"
"	"								6.	"	"
"	"								6.	"	"
"	"								6.	"	"
"	"	4/29			26685	30			6.	"	"
"	"								6.		
Eason Oil Co.	Same	5/1			26831	20			6.	Low Chgo. Jo. of Com.	Enid, Okla.
"	"								6.	D/S FOB Enid	
Omar Refining Co.	"	5/1			26830	20			6.	Low CJ of C 63/70	
Atlas Oil Corp.	Atlas Pipeline Corp.								6.	D/S F.O.B. Garber	Garber, Okla.
"	"								6.		
Omar Refining Co.	Same								6.		
"	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
Eason Oil Corp.	Same								6.		
"	"								6.		
Omar Refining Co.	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
Omar Refining Co.	Same								6.		
Eason Oil Corp.	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
Eason Oil Co.	Same								6.		
Omar Refining Co.	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
Eason Oil Co.	Same								6.		
Omar Refining Co	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
Eason Oil Co.	Same								6.		
Omar Refining Co.	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
Omar Refining Co.	Same								6.		
Eason Oil Co.	"								6.		
"	"								6.		
Omar Refining Co.	"								6.		
Eason Oil Co.	"								6.		
Omar Refining Co.	"								6.		
"	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.	5/29			26722	30			6.	Same as order 26637	Shreveport, La.
Eason Oil Co.	Same								6.		
"	"	6/1			26859	20			6.	Same as order 26831	Enid, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
Omar Refining Co.	Same	6/1			26858	20			6.	Low C J of C 63/70 D/S F.O.B. Garber	Garber, Okla.

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F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

(Spots on Charts for These Dates)

Purchase Orders					Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	Cars Shipped						Specifications				
	At Flat Prices		At Market Quotations Date of Shipment							On Flat Price Orders			At Market Quotations Date of Shipment							Gum
Date of Order	No.	Cars	No.	Cars	Date	Authority	Price	F.O.B.		Pur.	Date	Cars	Ord. No.	Date Shipped	Cars	OCT.	GRAV.	RVP	ASTM	CD
1936					1936		Cents			1936				1936						
							6.	Low Gr. 3 Mkt. 63/70 Octane per Chgo. Jo. of Com. on date of shipment F.O.B. Shreveport	Shreveport, La.				26637	4/16	1	70/71		8	3.0	20
							6.	"	"				"	4/17	3	"		8	3.0	20
							6.	"	"				"	4/20	1	"		8	3.0	20
							6.	"	"				"	4/21	4	"		8	3.0	20
							6.	"	"				"	4/23	1	"		8	3.0	20
							6.	"	"				"	4/24	4	"		8	3.0	20
							6.	"	"				"	4/28	1	"		8	3.0	20
4/29			26685	30			6.	"	"				26685	5/2	1	"		8	3.0	20
							6.	"	"				"	5/5	4	"		8	3.0	20
5/1			26831	20			6.	Low Chgo. Jo. of Com.	Enid, Okla.				26831	5/5	1	"	60.5	9½	3.0	20
							6.	D/S FOB Enid					"	5/6	4	"	"	9½	3.0	20
5/1			26830	20			6.	Low CJ of C 63/70					26830	5/6	5	"	"	9½	3.0	20
							6.	D/S F.O.B. Garber	Garber, Okla.				26685	5/6	2	"	—	8	3.0	20
							6.						"	5/7	3	"		8	3.0	20
							6.						"	5/8	1	"		8	3.0	20
							6.						26830	5/9	3	"	60.5	9½	3.0	20
							6.						"	5/11	1	"	"	9½	3.0	20
							6.						26685	5/11	3	"	—	8	3.0	20
							6.						26831	5/12	3	"	60.5	9½	3.0	20
							6.						"	5/13	2	"	"	9½	3.0	20
							6.						26830	5/13	1	"	"	9½	3.0	20
							6.						26685	5/14	1	"	—	8	3.0	20
							6.						"	5/15	2	"		8	3.0	20
							6.						26830	5/15	3	"	60.5	9½	3.0	20
							6.						26831	5/15	2	"	"	9½	3.0	20
							6.						26685	5/16	1	"	—	8	3.0	20
							6.						"	5/18	1	"		8	3.0	20
							6.						26831	5/18	1	"	60.5	9½	3.0	20
							6.						26830	5/19	1	"	"	9½	3.0	20
							6.						26685	5/19	1	"	—	8	3.0	20
							6.						"	5/20	2	"		8	3.0	20
							6.						26831	5/20	1	"	60.5	9½	3.0	20
							6.						26830	5/21	1	"	"	9½	3.0	20
							6.						26685	5/21	1	"	—	8	3.0	20
							6.						"	5/22	2	"		8	3.0	20
							6.						26831	5/22	1	"	60.5	9½	3.0	20
							6.						26830	5/23	1	"	"	9½	3.0	20
							6.						26685	5/23	1	"	—	8	3.0	20
							6.						"	5/25	2	"		8	3.0	20
							6.						"	5/26	1	"		8	3.0	20
							6.						26830	5/27	1	"	60.5	9½	3.0	20
							6.						26831	5/27	1	"	"	9½	3.0	20
							6.						"	5/29	1	"	"	9½	3.0	20
							6.						26830	5/29	1	"	"	9½	3.0	20
							6.						26831	6/1	2	"	"	9½	3.0	20
							6.						26830	6/2	1	"	"	9½	3.0	20
							6.						"	6/3	1	"	"	9½	3.0	20
5/29			26722	30			6.	Same as order 26637	Shreveport, La.				26722	6/3	1	"	—	8	3.0	20
							6.						26831	6/4	1	"	60.5	9½	3.0	20
6/1			26859	20			6.	Same as order 26831	Enid, Okla.				26859	6/5	1	"	"	9½	3.0	20
							6.						26722	6/5	5	"	—	8	3.0	20
							6.						"	6/6	1	"		8	3.0	20
6/1			26858	20			6.	Low C J of C 63/70 D/S F.O.B. Garber	Garber, Okla.				26858	6/6	3	"	60.5	9½	3.0	20

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

		Purchase Orders									(Spots on Charts for These Dates)		
			At Flat Prices		At Market Quotations Date of Shipment		Date Order Placed and Authority for Date (Flat Price Orders Only)	Order and Invoice			Cars Shipped		
		Date of									On Flat Price Orders	At Market Quotat Date of Shipme	
Name on Order	Shipped By	Order	No.	Cars	No.	Cars	Date Authority	Price	F.O.B.	Shipped From	Pur. Date Cars	Ord. No.	Date Shippe
Eason Oil Co.	Same	1936					1936	Cents			1936		1936
"	"							6.				26859	6/8
Atlas Oil Corp.	Atlas Pipeline Corp.							6.				"	6/9
Eason Oil Co.	Same							6.				26722	6/9
Omar Refining Co.	"							6.				"	6/10
Atlas Oil Corp.	Atlas Pipeline Corp.							6.				26859	6/10
Omar Refining Co.	Same							6.				26858	6/10
"	"							6.				26722	6/11
Eason Oil Co.	"							6.				26858	6/12
Atlas Oil Corp.	Atlas Pipeline Corp.							6.				"	6/13
"	"							6.				26859	6/13
Eason Oil Co.	Same							6.				26722	6/13
Omar Refining Co.	"							6.				"	6/15
"	"							6.				26859	6/15
Atlas Oil Corp.	Atlas Pipeline Corp.							6.				26858	6/16
"	"							6.				"	6/17
Omar Refining Co.	Same							6.				26722	6/17
Eason Oil Co.	"							6.				"	6/18
"	"							6.				26858	6/18
Omar Refining Co.	"							6.				26859	6/18
Atlas Oil Corp.	Atlas Pipeline Corp.							6.				"	6/20
"	"							6.				26858	6/20
Omar Refining Co.	Same							6.				26722	6/22
"	"							6.				"	6/23
"	"							6.				26858	6/23
Eason Oil Co.	"							6.				"	6/24
"	"							6.				"	6/26
Omar Refining Co.	"							6.				26859	6/26
"	"							6.				"	6/30
Eason Oil Co.	"							6.				26858	6/30
Atlas Oil Corp.	Atlas Pipeline Corp.	6/30		27122		25/30		6.	Low Gr. 3 Mkt. 63/70	Shreveport, La.		"	7/2
"	"							6.	Octane per Chgo.	" "		26859	7/2
"	"							6.	Jo. of Comm. on date	" "		27122	7/2
Omar Refining Co.	Same	7/2		26884		20		6.	of Ship't FOB Shreve.	" "		"	7/4
"	"							6.	Low C. J. of C. 63/70			"	7/7
Atlas Oil Corp.	Atlas Pipeline Corp.							6.	D/8 FOB Garber	Garber, Okla.		"	7/8
"	"							6.				26884	7/8
Omar Refining Co.	Same							6.				"	7/9
Eason Oil Co.	"	7/2		26883		20		6.				27122	7/9
"	"							6.				"	7/10
Omar Refining Co.	"							6.	Low C. J. of C. 63/70	Enid, Okla.		26884	7/11
Atlas Oil Corp.	Atlas Pipeline Corp.							6.	Date of Shipment	" "		26883	7/11
Omar Refining Co.	Same							6.	FOB Enid, Okla.	" "		"	7/13
Eason Oil Co.	"							6.				26884	7/13
Omar Refining Co.	"							6.				27122	7/13
Atlas Oil Corp.	Atlas Pipeline Corp.							6.				26884	7/14
"	"							6.				26883	7/14
Eason Oil Co.	Same							6.				26884	7/15
"	"							6.				27122	7/15
Omar Refining Co.	"							6.				"	7/16
Atlas Oil Corp.	Atlas Pipeline Corp.							6.				26883	7/16
Omar Refining Co.	Same							6.				"	7/17
								6.				26884	7/17
								6.				27122	7/17
								6.				26884	7/18

THE PURE OIL COMPANY

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F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

(Spots on Charts for These Dates)

...ers At ...arket Quotations ...te of Shipment		Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	Cars Shipped: On Flat Price Orders			Cars Shipped: At Market Quotations Date of Shipment				Specifications				
	Cars	Date	Authority	Price	F.O.B.		Pur.	Date	Cars	Ord. No.	Date Shipped	Cars		OCT.	GRAV.	RVP	Gum ASTM	Gum CD
		1936		Cents			1936				1936					Lbs.	Mgs.	Mgs.
				6.						26859	6/8	1	"	70/71	60.5	9½	3.0	20
				6.						"	6/9	1	"	"	"	"	"	"
				6.						26722	6/9	2	"	"	—	8	"	"
				6.						"	6/10	1	"	"	"	"	"	"
				6.						26859	6/10	3	"	"	60.5	9½	"	"
				6.						26858	6/10	2	"	"	"	"	"	"
				6.						26722	6/11	3	"	"	—	8	"	"
				6.						26858	6/12	4	"	"	60.5	9½	"	"
				6.						"	6/13	1	"	"	"	"	"	"
				6.						26859	6/13	4	"	"	"	"	"	"
				6.						26722	6/13	1	"	"	—	8	"	"
				6.						"	6/15	3	"	"	—	"	"	"
				6.						26859	6/15	1	"	"	60.5	9½	"	"
				6.						26858	6/16	1	"	"	"	"	"	"
				6.						"	6/17	1	"	"	"	"	"	"
				6.						26722	6/17	2	"	"	—	8	"	"
				6.						"	6/18	4	"	"	—	"	"	"
				6.						26858	6/18	1	"	"	60.5	9½	"	"
				6.						26859	6/18	1	"	"	"	"	"	"
				6.						"	6/20	2	"	"	"	"	"	"
				6.						26858	6/20	1	"	"	"	"	"	"
				6.						26722	6/22	1	"	"	—	8	"	"
				6.						"	6/23	1	"	"	—	"	"	"
				6.						26858	6/23	1	"	"	60.5	9½	"	"
				6.						"	6/24	1	"	"	"	"	"	"
				6.						"	6/26	1	"	"	"	"	"	"
				6.						26859	6/26	3	"	"	"	"	"	"
				6.						"	6/30	1	"	"	"	"	"	"
				6.						26858	6/30	1	"	"	"	"	"	"
				6.						"	7/2	2	"	"	"	"	"	"
122	25/30			6.	Low Gr. 3 Mkt. 63/70	Shreveport, La.				26859	7/2	2	"	"	"	"	"	"
				6.	Octane per Chgo.	" "				27122	7/2	3	"	"	—	8	"	"
				6.	Jo. of Comm. on date	" "				"	7/4	1	"	"	"	"	"	"
384	20			6.	of Ship't FOB Shreve.	" "				"	7/7	5	"	"	—	"	"	"
				6.	Low C. J. of C. 63/70					"	7/8	1	"	"	—	"	"	"
				6.	D/8 FOB Garber	Garber, Okla.				26884	7/8	2	"	"	60.5	9½	"	"
				6.						"	7/9	2	"	"	"	"	"	"
				6.						27122	7/9	2	"	"	—	8	"	"
				6.						"	7/10	2	"	"	—	"	"	"
383	20			6.						26884	7/11	1	"	"	60.5	9½	"	"
				6.	Low C. J. of C. 63/70	Enid, Okla.				26883	7/11	4	"	"	"	"	"	"
				6.	Date of Shipment	" "				"	7/13	1	"	"	—	—	—	—
				6.	FOB Enid, Okla.	" "				26884	7/13	1	"	"	"	9½	3.0	20
				6.						27122	7/13	4	"	"	—	8	—	—
				6.						26884	7/14	2	"	"	60.5	9½	3.0	20
				6.						26883	7/14	3	"	"	"	—	—	—
				6.						26884	7/15	1	"	"	"	9½	3.0	20
				6.						27122	7/15	1	"	"	—	8	—	—
				6.						"	7/16	2	"	"	—	8	—	—
				6.						26883	7/16	1	"	"	60.5	—	—	—
				6.						"	7/17	1	"	"	"	"	"	"
				6.						26884	7/17	1	"	"	"	9½	3.0	20
				6.						27122	7/17	1	"	"	—	8	—	—
										26884	7/18	3	"	"	60.5	9½	3.0	20

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F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	F.O.B.	Shipped From
		1936					1936		Cents		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
Omar Refining Co.	Same								6.		
"	"								6.		
Eason Oil Co.	"								6.		
"	"								6.		
Omar Refining Co.	"								6.		
Eason Oil Co.	"								6.		
"	"	7/20			26897	1/2			6.	Low C. J. of C. 63/70 D/S-F.O.B. Enid, Okla.	Enid, Okla.
Omar Refining Co.	"								6.		
"	"								6.		
Eason Oil Co.	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.	8/1			27157	25/30			6.	Same as order #27122	
Eason Oil Co.	Same								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
Eason Oil Co.	Same								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
"	"								6.		
"	"								6.		
"	"								6.		
Eason Oil Co.	Same	8/5			26916	25			6.	Low C.J. of C. 63/70 D/S F.O.B. Enid	Enid, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
"	"								6.		
Eason Oil Co.	Same								6.		
"	"								6.		
"	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.								6.		
Eason Oil Co.	Same								6.		
"	"								6.		
"	"								6.		
Atlas Oil Corp.	Atlas Pipeline Corp.	8/28			27181	25/30			5.75	Low Gr. 3 Mkt. 68/70 Octane per Chgo. Jo. of Comm. D/S F.O.B. Shreveport	Shreveport, La.
"	"								5.75		" "
"	"								5.75		" "
"	"								5.625		" "
Omar Refining Co.	Same	9/4			26951	10			5.625	Low CJofC 63/70 D/S F.O.B.	Garber, Okla
Eason Oil Co.	"	9/5			26960	20			5.625	Low CJofC 63/70 D/S F.O.B. Enid	Enid, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.								5.625		
"	"								5.625		
"	"								5.635		
									5.625		
Eason Oil Co.	Same								5.625		
Omar Refining Co.	"								5.5		
Atlas Oil Corp.	Atlas Pipeline Corp.								5.5		
Omar Refining Co.	Same								5.5		
Eason Oil Co.	"								5.5		
Atlas Oil Corp.	Atlas Pipeline Corp.								5.5		
"	"								5.5		
Eason Oil Co.	Same								5.5		
Omar Refining Co.	"								5.5		
"	"								5.5		
"	"								5.5		
Eason Oil Co.	"								5.5		
"	"								5.5		
"	"								5.5		

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68-70 Octane

Purchase Orders: Date of Order	Purchase Orders: At Flat Prices No.	Purchase Orders: At Flat Prices Cars	Purchase Orders: At Market Quotations Date of Shipment No.	Purchase Orders: At Market Quotations Date of Shipment Cars	Date Order Placed and Authority for Date (Flat Price Orders Only) Date	Authority	Order and Invoice Price	F.O.B.	Shipped From	(Spots on Charts for These Dates) Cars Shipped: On Flat Price Orders Pur. Date	Cars	At Market Quotations Date of Shipment Ord. No.	Date Shipped	Cars	Specifications OCT.	GRAV.	RVP	Gum ASTM	Gum CD
1936					1936		Cents			1936			1936				Lbs.	Mgs.	Mgs.
							6.					27122	7/20	3	70/71	–	8	3.0	20
							6.					26884	7/20	1	"	60.5	9½	"	"
							6.					"	7/21	2	"	"	"	"	"
							6.					26883	7/22	1	"	"	9½	"	"
							6.					"	7/23	2	"	"	"	"	"
							6.					26884	7/23	1	"	"	9½	"	"
							6.					26883	7/24	2	"	"	"	"	"
7/20			26897	1/2			6.	{Low C. J. of C. 63/70	Enid, Okla.			26897	7/24	½	"	"	9½	5.0	20
							6.	{D/S-F.O.B. Enid, Okla.				26884	7/28	1	"	"	"	3.0	"
							6.					"	7/29	2	"	"	"	"	"
							6.					26883	7/31	1	"	"	"	"	"
8/1			27157	25/30			6.	Same as order #27122				27157	8/1	1	"	–	8	3.0	20
							6.					26883	8/3	1	"	60.5	9½	"	"
							6.					27157	8/4	3	"	–	8	"	"
							6.					26883	8/5	3	"	60.5	9½	"	"
							6.					27157	8/5	2	"	–	8	"	"
							6.					"	8/6	2	"	–	"	"	"
							6.					"	8/7	1	"	–	"	"	"
							6.					"	8/8	2	"	–	"	"	"
							6.					"	8/11	3	"	–	"	"	"
8/5			26916	25			6.	{Low C.J. of C. 63/70}	Enid, Okla.			26916	8/11	5	"	60.5	9½	3.0	20
							6.	{D/S F.O.B. Enid}				27157	8/13	5	"	–	8	"	"
							6.					"	8/14	1	"	–	"	"	"
							6.					26916	8/14	5	"	60.5	9½	"	"
							6.					"	8/15	4	"	"	"	"	"
							6.					"	8/18	5	"	"	"	"	"
							6.					27157	8/18	5	"	–	8	"	"
							6.					26916	8/19	1	"	60.5	9½	"	"
							6.					"	8/21	4	"	"	"	"	"
							6.					"	8/24	1	"	"	"	"	"
8/28			27181	25/30			5.75	{Low Gr. 3 Mkt. 68/70	Shreveport, La.			27181	9/1	1	"	–	8	3.0	20
							5.75	{Octane per Chgo. Jo. of	" "			"	9/3	4	"	–	"	"	"
							5.75	{Comm. D/S F.O.B.	" "			"	9/5	1	"	–	"	"	"
							5.625	{Shreveport	" "			"	9/8	4	"	–	"	"	"
9/4			26951	10			5.625	Low CJofC 63/70 D/S F.O.B.	Garber, Okla			26951	9/8	2	"	60.5	12	3.0	20
9/5			26950	20			5.625	{Low CJofC 63/70}	Enid, Okla.			26950	9/9	1	"	"	12	3.0	20
							5.625	{D/S F.O.B. Enid}				27181	9/9	3	"	–	8	"	"
							5.625					"	9/10	2	"	–	"	"	"
							5.635					"	9/11	2	"	–	"	"	"
							5.625					"	9/12	3	"	–	"	"	"
							5.625					26950	9/12	3	"	60.5	12	"	"
							5.5					26951	9/14	1	"	"	"	"	"
							5.5					27181	9/15	2	"	–	8	"	"
							5.5					26951	9/16	1	"	60.5	12	"	"
							5.5					26950	9/16	3	"	"	"	"	"
							5.5					27181	9/16	2	"	–	8	"	"
							5.5					"	9/17	2	"	–	"	"	"
							5.5					26950	9/17	2	"	60.5	12	"	"
							5.5					26951	9/18	1	"	"	"	"	"
							5.5					"	9/19	3	"	"	"	"	"
							5.5					"	9/21	1	"	"	"	"	"
							5.5					26950	9/23	2	"	"	"	"	"
							5.5					"	9/24	2	"	"	"	"	"
							5.5					"	9/25	1	"	"	"	"	"

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	Order and Invoice: F.O.B.	Shipped From
		1936					1936		Cents		
Omar Refining Co.	Same								5.5		
Kanotex Refining Co.	"	9/26	26976	2/3			9/26		5.5	Arkansas City, Kans.	Ark. City, Kans
Eason Oil Co.									5.5		
Atlas Oil Corp.	Atlas Pipeline Corp.	9/29			27214	25/30			5.5	Same as #27181	Shreveport, La.
Eason Oil Co.	Same								5.5		
Atlas Oil Corp.	Atlas Pipeline Corp.								5.5		
"	"								5.5		
"	"								5.5		
"	"								5.5		
"	"								5.625		
									5.625		
Omar Refining Co.	Same	10/1			26983	5			5.625	Low CJ of C 63/70	Garber, Okla.
"	"								5.625	D/S FOB Garber	
Eason Oil Co.	"	10/1			26982	10			5.625	Low CJofC D/S-Enid	Enid, Okla.
"	"								5.625		
Atlas Oil Corp.	Atlas Pipeline Corp.								5.625		
"	"								5.625		
Omar Refining Co.	Same								5.625		
"	"	10/16	27005	2/3			10/16		5.625	FOB Garber	Garber, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.								5.625		
Eason Oil Co.	Same								5.625		
Omar Refining Co.	"								5.625		
Eason Oil Co.	"	10/15			27003	10			5.625	Low CJofC D/S Enid	Enid, Okla.
"	"								5.625		
Omar Refining Co.	"	10/23			27010	1/3			5.625	Low CJofC 63/70 D/S Garber	Garber, Okla.
Eason Oil Co.									5.625		
Atlas Oil Corp.	Atlas Pipeline Corp.	10/27			27253	20/25			5.625	Same as #27181	Shreveport, La.
"	"								5.625		
									5.625		
Eason Oil Co.	Same	10/31			27016	1-1/3			5.625	Low CJofC D/S FOB Enid	Enid, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.								5.625		
Omar Refining Co.	Same	11/5			27033	2/3			5.625	Low CJofC 63/70 D/S Garber	Garber, Okla.
Eason Oil Co.	"	11/3			27028	20			5.625	Low CJofC D/S FOB Enid	Enid, Okla.
Atlas Oil Corp.	Atlas Pipeline Corp.								5.625		
"	"								5.625		
Eason Oil Co.	Same								5.625		
Atlas Oil Corp.	Atlas Pipeline Corp.								5.625		
"	"								5.75		
Eason Oil Co.	Same								5.75		
Omar Refining Co.	"	11/3			27027	5			5.75	Low CJ of C 63/70	Garber, Okla.
"	"								5.75	D/S FOB Garber	
"	"								5.75		
Atlas Oil Corp.	Atlas Pipeline Corp.								5.75		
Eason Oil Co.	Same								5.75		
"	"								5.75		
Omar Refining Co.	"								5.75		
Eason Oil Co.	"								5.75		
"	"								5.75		
"	"								5.75		
Atlas Oil Corp.	Atlas Pipeline Corp.	11/30			27302	20/25			5.75	Same as #27181	Shreveport, La.
"	"								5.75		
Eason Oil Co.	Same								5.75		
Omar Refining Co.	"	12/2			27363	3			5.75	Low CJofC 63/70 D/S FOB Garber	Garber, Okla.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

Purchase Orders										(Spots on Charts for These Dates)									
	At Flat Prices		At Market Quotations Date of Shipment		Date Order Placed and Authority for Date (Flat Price Orders Only)		Order and Invoice		Shipped From	Cars Shipped: On Flat Price Orders			Cars Shipped: At Market Quotations Date of Shipment				Specifications			
Date of Order	No.	Cars	No.	Cars	Date	Authority	Price	F.O.B.		Pur.	Date	Cars	Ord. No.	Date Shipped	Cars		OCT.	GRAV.	RVP	Gum ASTM	Gum CD
1936					1936		Cents				1936			1936					Lbs.	Mgs.	Mgs.
							5.5						26951	9/25	1		70/71	60.5	12	3.0	20
9/26	26976	2/3			9/26		5.5	Arkansas City, Kans.	Ark. City, Kans.	9/26		2/3					"	"	12	3.0	20
							5.5						26950	9/29	1		"	"	"	"	"
9/29			27214	25/30			5.5	Same as #27181	Shreveport, La.				27214	10/2	2		"	–	9	3.0	20
							5.5						26950	10/3	5		"	60.5	12	"	"
							5.5						27214	10/4	3		"	–	9	"	"
							5.5						"	10/7	3		"	–	"	"	"
							5.5						"	10/8	1		"	–	"	"	"
							5.5						"	10/9	4		"	–	"	"	"
							5.625						"	10/10	2		"	–	"	"	"
							5.625						"	10/12	5		"	–	"	"	"
10/1			26983	5			5.625	Low CJ of C 63/70 D/S FOB Garber	Garber, Okla.				26983	10/12	2		"	60.5	12	3.0	20
							5.625						"	10/13	1		"	"	"	"	"
10/1			26982	10			5.625	Low CJofC D/S–Enid	Enid, Okla.				26982	10/13	5		"	"	12	3.0	20
							5.625						"	10/14	3		"	"	"	"	"
							5.625						27214	10/14	1		"	–	9	"	"
							5.625						"	10/15	1		"	–	"	"	"
							5.625						26983	10/15	1		"	60.5	12	"	"
10/16	27005	2/3			10/16		5.625	FOB Garber	Garber, Okla.	10/16		2/3					"	"	12	3.0	20
							5.625						27214	10/17	5		"	–	9	"	"
							5.625						26982	10/17	2		"	60.5	12	"	"
							5.625						26983	10/19	1		"	"	"	"	"
10/15			27003	10			5.625	Low CJofC D/S Enid	Enid, Okla.				27003	10/21	5		"	"	12	3.0	20
							5.625						"	10/24	4		"	"	"	"	"
10/23			27010	1/3			5.625	Low CJofC 63/70 D/S Garber	Garber, Okla.				27010	10/27	1/3		"	"	12	–	–
							5.625						27003	10/28	1		"	"	"	3.0	20
10/27			27253	20/25			5.625	Same as #27181	Shreveport, La.				27253	11/3	2		"	–	9	3.0	20
							5.625						"	11/4	2		"	–	"	"	"
							5.625						"	11/5	2		"	–	"	"	"
10/31			27016	1-1/3			5.625	Low CJofC D/S FOB Enid	Enid, Okla.				27016	11/5	1-1/3		"	60.5	12	3.0	20
							5.625						27253	11/6	1		"	–	9	"	"
11/5			27033	2/3			5.625	Low CJofC 63/70 D/S Garber	Garber, Okla.				27033	11/9	2/3		"	60.5	12	3.0	20
11/3			27028	20			5.625	Low CJofC D/S FOB Enid	Enid, Okla.				27028	11/9	1		"	"	12	3.0	20
							5.625						27253	11/10	6		"	–	9	"	"
							5.625						"	11/12	3		"	–	"	"	"
							5.625						27028	11/12	2		"	60.5	12	"	"
							5.625						27253	11/13	2		"	–	9	"	"
							5.75						"	11/14	1		"	–	"	"	"
							5.75						27028	11/14	2		"	60.5	12	"	"
11/3			27027	5			5.75	Low CJ of C 63/70 D/S FOB Garber	Garber, Okla.				27027	11/14	1		"	"	12	3.0	20
							5.75						"	11/16	1		"	"	"	"	"
							5.75						"	11/17	1		"	"	"	"	"
							5.75						27253	11/17	5		"	–	9	"	"
							5.75						27028	11/19	2		"	60.5	12	"	"
							5.75						"	11/21	2		"	"	"	"	"
							5.75						27027	11/23	2		"	"	"	"	"
							5.75						27028	11/25	4		"	"	"	"	"
							5.75						"	11/27	2		"	"	"	"	"
							5.75						"	12/1	4		"	"	"	"	"
11/30			27302	20/25			5.75	Same as #27181	Shreveport, La.				27302	12/2	4		"	–	10	"	"
							5.75						"	12/3	2		"	–	"	"	"
12/2			27363	3			5.75						27028	12/3	1		"	60.5	12	"	"
							5.75	Low CJofC 63/70 D/S FOB Garber	Garber, Okla.				27363	12/3	1		"	"	"	"	"

Defense Exhibit No. 741.

THE PURE OIL COMPANY
Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

Name on Order	Shipped By	Purchase Orders: Date of Order	At Flat Prices: No.	At Flat Prices: Cars	At Market Quotations Date of Shipment: No.	At Market Quotations Date of Shipment: Cars	Date Order Placed and Authority for Date (Flat Price Orders Only): Date	Authority	Order and Invoice: Price	Order and Invoice: F.O.B.	Shipped From
		1936					1936		Cents		
Atlas Oil Corp.	Atlas Pipeline Co.								5.75		
"	"								5.75		
Omar Refining Co.	Same								5.75		
"	"								5.75		
Atlas Oil Corp.	Atlas Pipeline Co.								5.75		
Eason Oil Co.	Same	12/4			27366	2/3			5.75	Low CJofC D/S FOB Enid	Enid, Okla.
Atlas Oil Corp.	Atlas Pipeline Co.								5.75		
"	"								5.75		
"	"								5.75		
Omar Refining Co.	Same	12/14			27381	1			5.75	Low CJofC 63/70 D/S Garber	Garber, Okla.
Eason Oil Co.	"	12/16			27385	10			5.75	Low CJofC D/S FOB Enid	Enid, Okla.
Omar Refining Co.	"	12/23			27394	3			5.75	Low CJofC 63/70 D/S Garber	Garber, Okla.
	Total 68-70 Octane			1-1/3		475-1/2					
	62 and below Octane										
Eason Oil Co.	Same	4/16	26818	2/3			4/16		5	Enid	Enid, Okla.
American Mineral Spirits Co.	"	Not Given	27136	2/3			7/11		4.875	Gr. 3	Arkansas City, Kans.
Omar Refining Co.	"	9/21	26963	2/3			9/21		4.5	Garber	Garber, Okla.
"	"	9/21	26964	1/3			9/21		4.5	"	" "
"	"	10/31	27017	2/3			10/31		4.625	"	" "
	Total 62 and below Octane			3							
	Summary										
	63-70 Octane			225-2/3		75					
	68-70 Octane			1-1/3		475-1/2					
	62 and below Octane			3							
	Grand Total			230		550-1/2					

THE PURE OIL COMPANY

Chronological Listing of 1936 Purchase Orders
F.O.B. Refineries and Group 3, Oklahoma; F.O.B. Refineries and Group 3, Kansas and F.O.B. Refineries and Group 3, Louisiana
68-70 Octane

Purchase Orders: At Flat Prices No.	Purchase Orders: At Flat Prices Cars	Purchase Orders: At Market Quotations Date of Shipment No.	Purchase Orders: At Market Quotations Date of Shipment Cars	Date Order Placed and Authority for Date (Flat Price Orders Only) Date	Authority	Order and Invoice Price	F.O.B.	Shipped From	(Spots on Charts for These Dates) — Cars Shipped — On Flat Price Orders Pur. Date	Cars	At Market Quotations Date of Shipment Ord. No.	Date Shipped	Cars	Specifications OCT.	GRAV.	RVP	Gum ASTM	Gum CD
				1936		Cents			1936			1936				Lbs.	Mgs.	Mgs
						5.75					27302	12/4	1	70/71	–	10	3.0	20
						5.75					"	12/5	2	"	–	"	"	"
						5.75					27363	12/5	1	"	60.5	12	"	"
						5.75					"	12/7	1	"	"	12	3.0	20
						5.75					27302	12/7	4	"	–	10	"	"
		27366	2/3			5.75	Low CJofC D/S FOB Enid	Enid, Okla.			27366	12/8	2/3	"	60.5	12	"	"
						5.75					27302	12/10	2	"	–	10	3.0	20
						5.75					"	12/12	3	"	–	"	"	"
						5.75					"	12/15	5	"	–	"	"	"
		27381	1			5.75	Low CJofC 63/70 D/S Garber	Garber, Okla.			27381	12/15	1	"	60.5	12	"	"
		27385	10			5.75	Low CJofC D/S FOB Enid	Enid, Okla.			27385	12/24	3	"	"	"	"	"
		27394	3			5.75	Low CJofC 63/70 D/S Garber	Garber, Okla.			27394	12/26	1	"	"	"	"	"
	1-1/3		475-1/2							1-1/3			455-1/2					
26818	2/3		4/16			5	Enid	Enid, Okla.	4/16	2/3				57	58/60	–	–	–
27136	2/3		7/11			4.875	Gr. 3	Arkansas City, Kans.	7/11	2/3				–	–			
26963	2/3		9/21			4.5	Garber	Garber, Okla.	9/21	2/3				49/54	58.8	12-½	–	30
26964	1/3		9/21			4.5	"	" "	9/21	1/3				"	"	12-½	–	30
27017	2/3		10/31			4.625	"	" "	10/31	2/3				"	"	12-½	–	–
	3									3			–					
	225-2/3		75							226-2/3			60					
	1-1/3		475-1/2							1-1/3			455-1/2					
	3									3			–					
	230		550-1/2							231			515-1/2					

COMPOSITE OF
PRICE QUOTATIONS
PLATT'S OILGRAM OKLAHOMA REFINERY MARKET
AND
CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3

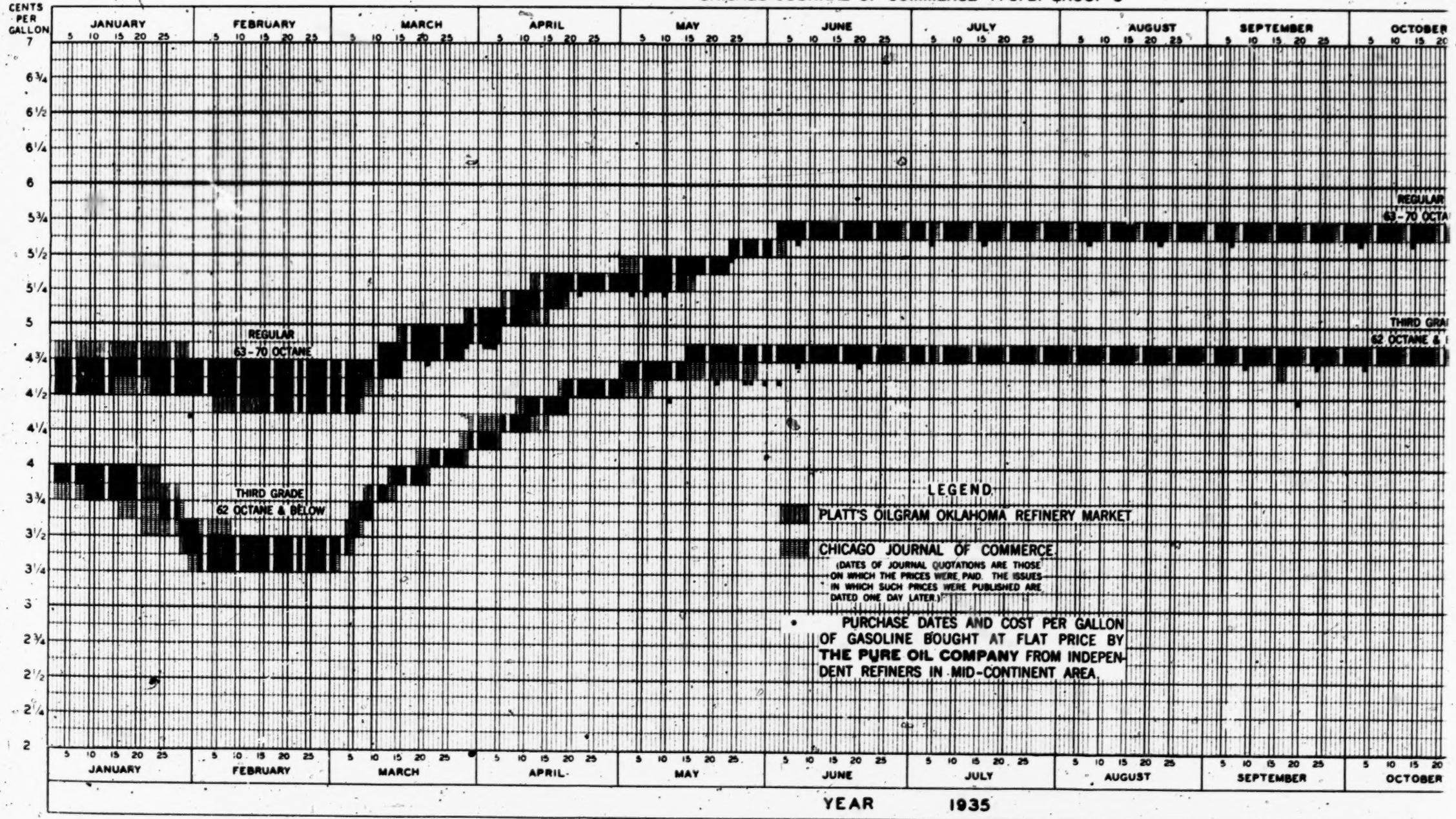

EXHIBIT NO. 741 A

3263

COMPOSITE OF PRICE QUOTATIONS PLATT'S OILGRAM OKLAHOMA REFINERY MARKET AND CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3

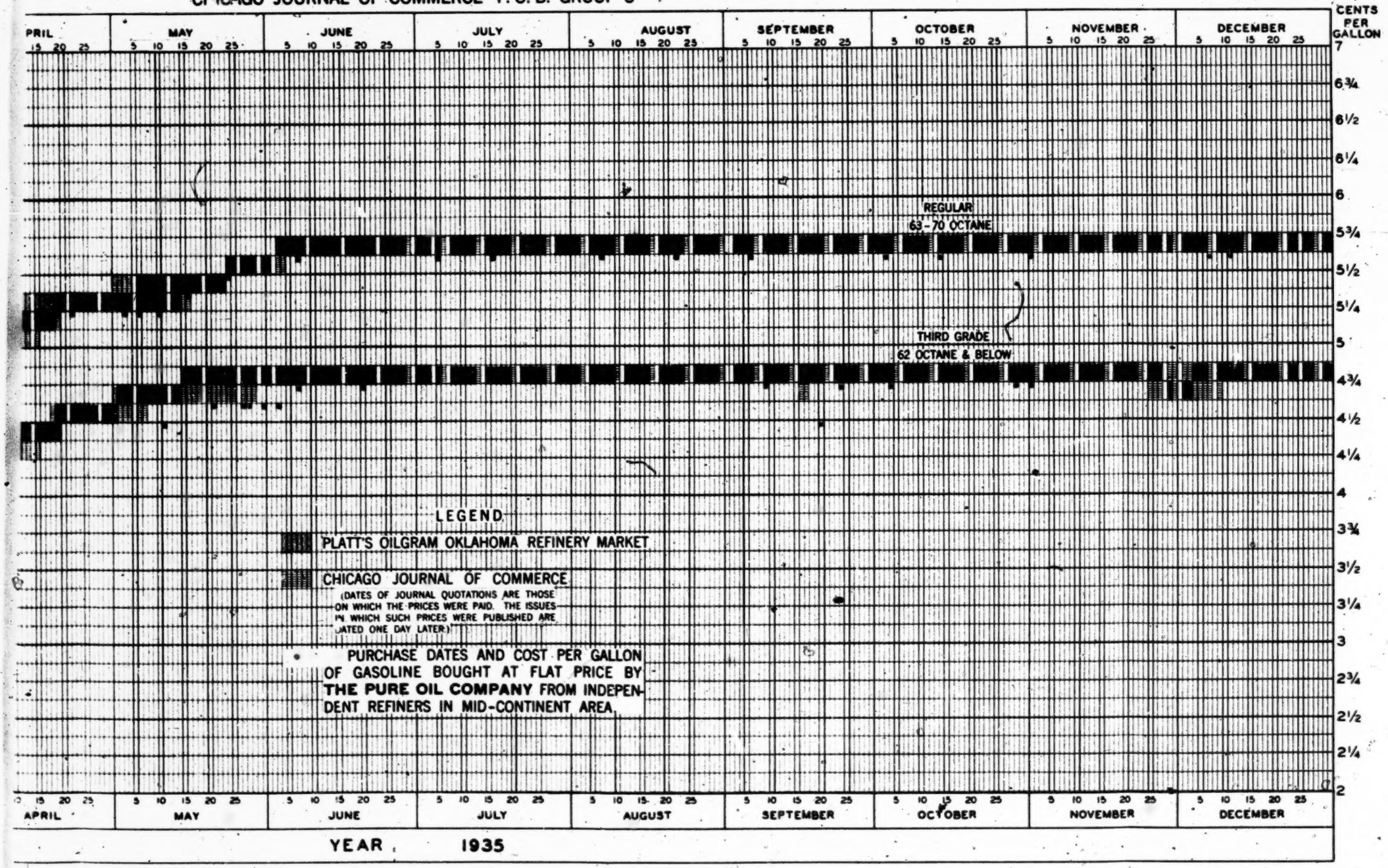

CHART No. XII D-1935

5394 GOVERNMENT EXHIBIT NO. 742.

Stipulation

Exhibits 103-118 and 490-508 were received by A. V. Bourque. Copies may be used in lieu of originals.

The authorship of any pencilled or other notations appearing on the above mentioned documents is specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5395 GOVERNMENT EXHIBIT NO. 743.

Stipulation

It is stipulated that George A. Booth, if called, would testify as follows:

That he is office manager of the Chicago Division of the Socony-Vacuum Oil Company, Inc., of which division the defendant Bryan S. Reid is manager.

That on February 11, 1936, he wrote a letter to F. E. Scuder of the Wadhams Oil Company, which letter has been received in evidence as Exhibit 336.

That prior to writing this letter he had a conversation with Bryan S. Reid, which was substantially as follows:

Booth reminded Reid of the Socony-Vacuum exchange arrangement with Empire, under which Magnolia, a subsidiary of Socony-Vacuum, furnished gasoline to Empire in Texas in exchange for which Empire furnished gasoline to the Chicago Division out of East Chicago.

Booth stated that Scuder requested that Wadhams be permitted to take four or five cars a month of Metro (3rd grade) gasoline out of the gasoline obtained from the Empire exchange.

Booth asked Reid what answer to give Scuder.

Reid pointed out to Booth that under the Empire exchange Socony-Vacuum could take either Metro or regular,

and that it was to the advantage of Socony-Vacuum to take as much regular as possible, third grade being more easily obtainable than regular in the open market.

Reid said that if Wadhams took four or five cars of Metro per month on the Empire exchange, it would mean that many cars of regular gasoline that the Chicago Division would have to obtain elsewhere. Instead of having Empire gasoline, which they knew to be satisfactory, they would have to hunt around for a substitute which might not measure up to specifications.

Reid said Wadhams would have no difficulty in locating plenty of available third grade gasoline and instructed Booth to tell Scuder that he, Reid, understood the company's policy to be that orders for Metro (3rd grade) gasoline should be placed through Mr. Jacobi at Tulsa and taken from the excess in the Mid-Continent field.

5396 Said George A. Booth would further testify that the defendant Bryan S. Reid as manager of the Chicago Division of Socony-Vacuum Oil Company, Inc., has general charge of all the activities of that Division; and that during 1935 and 1936 Mr. Reid's immediate superior was defendant Charles L. Jones, a vice-president of Socony-Vacuum with offices in New York City, who had general supervision over The Chicago Division, The White Star Division, The Lubrite Division of Socony-Vacuum and the Wadhams Oil Company.

Louis Mead Treadwell

5397 GOVERNMENT EXHIBIT NO. 744.

Stipulation

E. M. Crone, if called as a witness, would testify that he is and was during the years 1935 and 1936 secretary of the defendant, The Texas Company, and he would further testify among other things, as follows:

1.

The defendant W. S. S. Rodgers, as President of the defendant The Texas Company, is the chief operating officer of The Texas Company and throughout 1935 and 1936 was actively in charge of the affairs of said company and directly controlled the execution of its policies and supervised and directed its operations. Said defendant, W. S. S. Rodgers, is the immediate superior of F. T. Manley, Vice President in Charge of Refining, and H. W. Dodge, Vice President in Charge of Domestic Sales.

2.

Defendant H. W. Dodge is Vice President in Charge of Domestic Sales and has executive authority to handle all matters pertaining to sales.

3.

Defendant R. D. Cottingham is Assistant to F. T. Manley, Vice President in Charge of Refining. Among his duties is that of handling the details of purchasing gasoline and other products to meet the requirements of the sales department. This he does under the general direction of F. T. Manley, Vice President in Charge of Refining, his immediate superior. Mr. Cottingham has been in charge of this division for many years, and throughout that period all purchases of gasoline and other finished products, made by or for The Texas Company were authorized by Manley and Cottingham and executed by that division.

4.

Defendant P. C. Scullin is Vice President and General Manager of the Indian Refining Company, an affiliate of The Texas Company. His office is at Houston, Texas. In addition to his duties with the Indian Refining Company, defendant Scullin has sometimes made purchases of gasoline, when authorized by either Manley or Cottingham, for and on behalf of The Texas Company. He purchased gasoline in this manner for The Texas Company during the years 1935 and 1936 in the East Texas field.

5398 GOVERNMENT EXHIBIT NO. 745.

Stipulation

Exhibit 337 was written by Ray Williamson in the office of P. W. Riggins, an employee of Continental Oil Co., and sent to H. B. May, and Exhibit 338 was received by Ray Williamson of Continental Oil Co. Copies may be used in lieu of originals.

The authorship of any pencilled or other notations appearing on the above mentioned documents is specifically excluded from this stipulation.

The defendants expressly reserve the right to all objections against the admissibility of these documents except as stipulated.

5399 GOVERNMENT EXHIBIT NO. 746.

Stipulation

I.

Gulf Oil Corporation was incorporated on August 21, 1922 in Pennsylvania and has its principal place of business in Pittsburgh, Pennsylvania. The business of Gulf Oil Corporation was to be transacted in Allegheney County, Pennsylvania and it was a holding company and not an operating company until February 1, 1936.

II.

Gulf Refining Company was incorporated on June 24, 1930 in the State of Delaware, with its principal place of business in Wilmington, Delaware, and has an office for the transaction of business in Pittsburgh, Pennsylvania, and it is a wholly owned subsidiary of Gulf Oil Corporation. It is engaged in the production, transportation and refining of petroleum and the marketing of petroleum products in areas where it operates except in certain states including the State of Texas where it is engaged only in the transportation of petroleum. On January 6, 1936, it was given

a permit to do business in the State of Texas, and has since engaged solely in the transportation of petroleum in that state.

III.

Prior to February 1, 1936, the Gulf Pipe Line Company, the Gulf Production Company and Gulf Refining Company, all three companies being Texas corporations and subsidiaries of Gulf Oil Corporation, were operating in the State of Texas. Gulf Refining Company of Texas was dissolved on January 31st, 1936 and Gulf Production Company ceased operating on January 31st, 1936, and their assets at that time were transferred to Gulf Oil Corporation which took over their operations on February 1st, 1936. The assets of Gulf Pipe Line Company were transferred to Gulf Refining Company, the Delaware corporation, which took over its operations February 1st, 1936.

IV.

Gulf Oil Corporation during the years 1935 and 1936 was not authorized to engage in, nor did it engage in the marketing of petroleum products in the States of Michigan, Wisconsin, including the western district thereof, Minnesota, North Dakota, South Dakota, Iowa, Illinois, Indiana, Missouri and Kansas, being the ten states mentioned in the indictment as comprising the Midwestern area. Of the ten states mentioned in the indictment as comprising
5400 the Mid-western area, Gulf Refining Company, the Delaware corporation, during the years 1935 and 1936 was engaged in the marketing of petroleum products only in the States of Michigan, Illinois and Indiana.

V.

Neither Gulf Oil Corporation nor Gulf Refining Company was authorized to do business in the State of Wisconsin and neither Gulf Oil Corporation nor Gulf Refining Company has ever done business in the State of Wisconsin, including the Western District thereof.

VI.

Neither Gulf Oil Corporation nor Gulf Refining Company has ever sold to jobbers who did business in the State of Wisconsin or the Western District thereof.

GOVERNMENT EXHIBIT NO. 747.

PURCHASES OF HOUSE BRAND AND THIRD GRADE GASOLINE BY DEFENDANT COMPANIES
(Other than Sinclair Refining Company)

From Independent Refineries During the Period March 1, 1935, to April 30, 1936.
In Tank Cars

	Mar. 1935	Apr. 1935	May 1935	June 1935	July 1935	Aug. 1935	Sep. 1935	Oct. 1935	Nov. 1935	Dec. 1935	Jan. 1936	Feb. 1936	Mar. 1936	Apr. 1936	Totals
East Texas Field															
Barnsdall Refining Corporation.	1			1	9	10	10	1	2	4				1	39
Cities Service Export Oil Co....	240														240
Expire Oil and Refining Co.....				10	5	10									25
Louisiana Oil Refining Corp....	51	87	64	42	70	15	12	17	85	88	3	12	12	15	573
Continental Oil Company.....	64	58	41	29	30	52	18	27	30	27	13	13	26	20	438
Globe Oil and Refining Co. (3)..					5	10	5		10						30
Gulf Refining Co.....	235	151	141	129	222	184	207	156	203	255	289	662	373	277	3482
Mid-Continent Petroleum Corp.	13			37		10	15		10	7					92
Phillips Petr. Co.....	2		5	1	5	5									18
The Pure Oil Co.....	20	65	94	134	151	98	111	88	75	107	114	143	94	158	1453
Socony-Vacuum Oil Co., Inc....								12	20	2			1		35
Wadhams Oil Co.....			23	41	16	6	27	47	40	10	4		4		218
Shell Petr. Corp.....			5		10	9			10						34
Skelly Oil Co.....				10	30	10	10		10						70
Tide Water Oil Co.....				150	163	163	125	114	36			20	25	15	811
The Texas Company.....	75	40	40	65	55	70	40	40	70	140	170	155	140	140	1240
Totals.....	691	401	413	649	771	652	580	502	600	640	593	1005	674	626	8797

	Mar. 1935	Apr. 1935	May 1935	June 1935	July 1935	Aug. 1935	Sept. 1935	Oct. 1935	Nov. 1935	Dec. 1935	Jan. 1936	Feb. 1936	Mar. 1936	Apr. 1936	Totals
Mid-Continent Field															
Barnsdall Refining Corp.	53	65	50	46	47	37	57	61	73	100	58	57	62	58	833
Empire Oil & Refining Co.	35	35	33	100	61	63	95	49	50	50	50	34	60	41	756
Louisiana Oil Refining Corp.	65	37	93	101	111	138	88	77	120	94	33	20	72	59	1108
Continental Oil Company	9	12	7	37	77	55	24			2		1	9		233
Deep Rock Oil Corp.					50	55				10				1	116
Globe Oil and Refining Company (3)	95	133	49		10	2		15	5	15	10	20	10	30	384
Gulf Refining Company	146	115	86	86	118	105	117	43	60	43	92	81	116	224	1432
Mid-Continent Petr. Corp.	10	92	62	63	69	59	62	47	36	64	97	5	40	61	767
Phillips Petroleum Co.	192	190	219	95	48	23	10	55	72	93	78	68	95	75	1313
The Pure Oil Company	11	15	24	31	34	40	29	49	49	51	50	80	130	36	629
Socony-Vacuum Oil Co., Inc.	28	42	46	153	198	101	60	79	10	10	22	11	30	38	828
Wadhams Oil Company	13	21	50	21	15	28	23			15	13	17	65	68	349
Shell Petroleum Corp.	10	23	15	20	10	8	49	35	55	75	88	85	107	99	679
Skelly Oil Company	15	49	73	72	166	102	62	53	21	40	51	36	57	35	832
Standard Oil Company (Indiana)	75	85	75	60	50	60	65	100	50	125	90	100	75	100	1110
Tide Water Oil Company					6			3		1		5			15
Totals	757	914	891	885	1070	876	741	666	601	788	732	610	928	925	11384
Grand Totals	1448	1315	1304	1534	1841	1528	1321	1168	1201	1428	1325	1615	1602	1551	20181

GOVERNMENT EXHIBIT NO. 748.

PRICES PAID BY DEFENDANT COMPANIES
(Exclusive of Sinclair Refining Company)

For Third Grade Gasoline Purchased from Independent Refineries in East Texas Compared with Low Quotations Published in Platts Oilgram
For the Date of Purchase During the Period March 1, 1935 to April 30, 1936

In Tank Cars

Number of Cars Purchased at a Specific Price Which Was	Mar. 1935	Apr. 1935	May 1935	June 1935	July 1935	Aug. 1935	Sept. 1935	Oct. 1935	Nov. 1935	Dec. 1935	Jan. 1936	Feb. 1936	Mar. 1936	Apr. 1936	Totals
1/8¢ above low				15	10			8				1	5		39
The low	99	129	135	472	614	513	513	449	513	486	269	382	411	445	5430
1/16¢ below low			1												1
1/8¢ below low	229	176	180	75	50	57	19	5	15	10	4		7		837
1/4¢ below low	313	56	37	9	10	10	-				35	54	111	30	665
5/16¢ below low			20												20
3/8¢ below low	15											164			179
1/2¢ below low				10											10
5/8¢ below low				3											3
11/16¢ below low												49			49
3/4¢ below low															
13/16¢ below low												200			200
7/8¢ below low					12										12
1¢ below low														10	10
1 1/8¢ below					15										15
Miscellaneous					5	2	8		2	4				1	22
Totals	656	361	373	584	716	582	540	462	530	500	308	850	534	486	7492
Number of Cars Purchased on Basis of Platts Oilgram Quotations															
Platts Oilgram low	25	40	40	65	55	70	40	40	70	140	285	155	140	140	1305

PRICES PAID BY DEFENDANT COMPANIES
(Exclusive of Sinclair Refining Company)

For Third Grade Gasoline Purchased from Independent Refineries in East Texas Compared with Low Quotations Published in Platts Oilgram For the Date of Purchase During the Period March 1, 1935 to April 30, 1936

In Tank Cars

Number of Cars Purchased at a Specific Price Which Was	1/8¢ above	Low	1/16¢ above	1/8¢ below	1/4¢ below	5/16¢ below	3/8¢ below	1/2¢ below	5/8¢ below	11/16¢ below	3/4¢ under and below	Miscellaneous	Totals
Barnsdall Refining Corp	1	7		9								22	39
Cities Service Export Oil Co				4	236								240
Empire Oil and Refining Co		15		10									25
Louisiana Oil Refining Corp	1	350	1	97	104	20							573
Continental Oil Company		178		217	6		14	10	3		10		438
Globe Oil and Refining Co. (3)		30											30
Gulf Refining Company		2339		331	266		155			49	227		3367
Mid-Continent Petr. Corp		58		31	3								92
Phillips Petroleum Company		17		1									18
The Pure Oil Company	15	1337		75	15		10						1452
Socony-Vacuum Oil Co., Inc	1	32		2									35
Wadhams Oil Company	11	164		13	10								218
Shell Petroleum Corp		9		25									34
Skelly Oil Company	10	20		15	25								70
Tidewater Oil Company		804		7									811
The Texas Company		50											50
Totals	39	5430	1	837	665	20	179	10	3	49	237	22	7492
Percentages	.5%	72.5%		11.2%	8.9%	.3%	2.4%	.1%		.6%	3.2%	.3%	

5407

Number of Cars Purchased on Basis of Platts Oilgram Quotations	Totals
Gulf Refining Company	115
The Texas Company	1190
Totals	1305
Grand Totals	8797

Government Exhibit No. 748.

3273

GOVERNMENT EXHIBIT NO. 749.

PRICES PAID BY DEFENDANT COMPANIES
(Exclusive of Sinclair Refining Company)

For Third Grade Gasoline Purchased from Independent Refineries in East Texas Compared with Low Quotations Published in Chicago Journal of Commerce for the Date of Purchase During the Period March 1, 1935 to April 30, 1936

In Tank Cars

Number of Cars Purchased at a Specific Price Which Was	Mar. 1935	Apr. 1935	May 1935	June 1935	July 1935	Aug. 1935	Sept. 1935	Oct. 1935	Nov. 1935	Dec. 1935	Jan. 1936	Feb. 1936	Mar. 1936	Apr. 1936	Totals
1/8¢ above low	10							1					5		16
The low	189	22	75	15	10		101	14	95	143	35	14	218	442	1373
1/8¢ below low	125	178	226	472	614	521	418	432	423	353	228	369	192	3	4554
3/16¢ below low			1												1
1/4¢ below low	279	161	51	75	50	49	13	15	10		4		8	30	745
5/16¢ below low			20												20
3/8¢ below low	49			9	10	10					40	115	111		344
1/2¢ below low	14										1	103			118
5/8¢ below low				10											10
3/4¢ below low				3											3
13/16¢ below low												49			49
15/16¢ below low												200			200
1¢ below low					12									10	22
1 1/4¢ below low					15										15
Miscellaneous					5	2	8		2	4				1	22
Totals	666	361	373	584	716	582	540	462	530	500	308	850	534	486	7492
Number of Cars Purchased on Basis of Platts Oilgram Quotations	25	40	40	65	55	70	40	40	70	140	285	155	140	140	1305
Grand Total	691	401	413	649	771	652	580	502	600	640	593	1005	674	626	8797

Number of Cars Purchased at a Specific Price Which Was	1/8¢ above	Low	1/8¢ below	3/16¢ below	1/4¢ below	5/16¢ below	3/8¢ below	1/2¢ below	5/8¢ below	3/4¢ below and lower	Miscellaneous	Totals
Barnsdall Refining Corp	1	2	14								22	39
Cities Service Export Oil Co					203		37					240
Empire Oil & Refining Co			15		10							25
Louisiana Oil Refining Corp		70	327	1	145	20	10					573
Continental Oil Company	10	53	199		138		1	14	10	13		438
Globe Oil and Refining Co. (3)			30									30
Gulf Refining Company		728	1863		153		258	89		276		3367
Mid-Continent Petr. Corp		3	71		15		3					92
Phillips Petroleum Company		5	13									18
The Pure Oil Company		323	1093		11		10	15				1452
Socony-Vacuum Oil Co., Inc	1	3	31									35
Wadhams Oil Company	4	36	155		23							218
Shell Petroleum Corp			9		25							34
Skelly Oil Company		10	20		15		25					70
Tide Water Oil Company		90	714		7							811
The Texas Company		50										50
Totals	16	1373	4554	1	745	20	344	118	10	289	22	7492
Percentage	.3%	18.3%	60.8%		9.9%	.3%	4.6%	1.6%	.1%	3.8%	.3%	
Number of Cars Purchased on Basis of Platts Oilgram Quotations												
Gulf Refining Company												115
The Texas Company												1190
Totals												1305
Grand Total												8797

GOVERNMENT EXHIBIT NO. 750.

PRICES PAID BY DEFENDANT COMPANIES
(Exclusive of Sinclair Refining Company)

For House Brand and Third Grade Gasoline Purchased from Independent Refineries in Mid-Continent Field Compared with Low Quotations in Platt's Oilgram for the Date of Purchase During the Period March 1, 1935, to April 30, 1936
In Tank Cars

Number of Cars Purchased at a Specific Price Which Was	Mar. 1935	Apr. 1935	May 1935	June 1935	July 1935	Aug. 1935	Sept. 1935	Oct. 1935	Nov. 1935	Dec. 1935	Jan. 1936	Feb. 1936	Mar. 1936	Apr. 1936	Totals
13/16¢ above low	1														1
3/4¢ above low	1														1
5/8¢ above low	1														1
1/2¢ above low	3										33				36
3/8¢ above low		6				1			1		1				9
1/4¢ above low	20	20	26	5	5	1		1				2	55		135
3/16¢ above low	4	2	6		5	2									19
1/8¢ above low	48	109	23	38	19	3	6	2	1	11		35	235	7	537
1/16¢ above low												6			6
The low	308	308	360	501	677	614	559	466	500	521	433	341	299	520	6407
1/16¢ below low				4							1	4	2	1	12
1/8¢ below	313	348	319	161	42	32	29	24	25	21	50	22	3	2	1391
3/16¢ below low			12							5					17
1/4¢ below low	22	91	116	10	56	52	26	11	3	1	2	3	1	2	396
5/16¢ below low						3	9	2							14
3/8¢ below low	16	21		1	1		4	2	2	1	2	2	1		53
1/2¢ below low	6										7			1	14
5/8¢ below low	6		4	3									15		28
3/4¢ below low													15	100	115
Miscellaneous					2	5	4			1					12
Totals	749	905	866	723	807	713	637	508	532	561	529	415	626	633	9204
Number of Cars Purchased on Basis of Platts Oilgram Quotations															
Low North Texas Quotations				34	55	40	24								153
Number of Cars Purchased on Basis of Chicago Journal of Commerce Quotations	8	9	25	128	208	123	80	158	69	227	203	195	302	292	2027
Grand Total	757	914	891	885	1070	876	741	666	601	788	732	610	928	925	11384

Purchased at a Specific Price Which Was	13/16¢ above	3/4¢ above	5/8¢ above	1/2¢ above	3/8¢ above	1/4¢ above	3/16¢ above	1/8¢ above	1/16¢ above	low	1/16¢ below	1/8¢ below	3/16¢ below	1/4¢ below and under	Totals
Barnsdall Refining Corp.	1				1	59	8	46	6	509	11	98		54	793
Empire Oil & Refining Co.		1	1	13				67		581		90		3	756
Louisiana Refining Corp.								1		991		116			1108
Continental Oil Co								9		49		11		3	72
Deep Rock Oil Corp										10				76	86
Globe Oil & Refining Co. (3)						5	11	16		13		213		31	289
Gulf Refining Co								70		1043		186		133	1432
Mid-Continent Petr. Corp.					1			37		459		157	17	86	757
Phillips Petroleum Co				5	1	4		208		751		233		111	1313
The Pure Oil Company				7	5	60		29		463		5		15	584
Socony-Vacuum Oil Co., Inc						5		34		227		78		20	364
Wadhams Oil Co						1		3		54		62		45	165
Shell Petroleum Corp										306		26			332
Skelly Oil Company				11	1	1		17		491	1	70		51	643
Standard Oil Co. (Indiana)										455		40			495
Tide Water Oil Co										5		6		4	15
Totals	1	1	1	36	9	135	9	537	6	6407	12	1391	17	632	9204
Percentages				.4%	.1%	1.5%	.2%	5.8%	.1%	69.6%	.1%	15.1%	.2%	6.9%	
Number of Cars Purchased on Basis of Platts Oilgram Quotations															
Continental Oil Company															153
Number of Cars Purchased on Basis of Chicago Journal of Commerce Quotations.															2027
Grand Total															11384

GOVERNMENT EXHIBIT NO. 751.

5418

PRICES PAID BY DEFENDANT COMPANIES
(Exclusive of Sinclair Refining Company)

For House Brand and Third Grade Gasoline Purchased from Independent Refineries in Mid-Continent Field Compared with Low Quotation in Chicago Journal of Commerce for the Date of Purchase During the Period March 1, 1935 to April 30, 1936, Distributed by Months
In Tank Cars

Number of Cars Purchased at a Specific Price Which Was	Mar. 1935	Apr. 1935	May 1935	June 1935	July 1935	Aug. 1935	Sept. 1935	Oct. 1935	Nov. 1935	Dec. 1935	Jan. 1936	Feb. 1936	Mar. 1936	April 1936	Totals
13/16¢ above low	1														1
3/4¢ above low	1														1
1/2¢ above low	4										18				22
3/8¢ above low	1	7	1			1			1		15				26
5/16¢ above low	3	2													5
1/4¢ above low	21	19	29	5	5	1			1		43	9	25		158
3/16¢ above low	1		6		5	2						1			15
1/8¢ above low	47	113	64	64	19	3	34	3	13	62	20	31	265	7	745
1/16¢ above low				4								7			11
The low	349	317	580	499	677	614	530	461	499	481	380	354	297	520	6564
1/16¢ below low			12							5	1	2	2	1	23
1/8¢ below low	282	398	107	132	42	33	27	29	18	10	42	6	5	2	1133
1/4¢ below low	20	28	63	15	56	51	23	11		1	5	3	2	2	280
5/16¢ below low						3	9	2							14
3/8¢ below low	14	21		1	1		4	2		1	2	2			48
1/2¢ below low	5			3							3			1	12
5/8¢ below low			4										15		19
3/4¢ below low													15	100	115
Miscellaneous					2	5	4			1					12
Totals	749	905	866	723	807	713	637	508	532	561	529	415	626	633	9204

5419

Number of Cars Purchased on Basis of Chicago Journal of Commerce Quotations	Mar. 1935	Apr. 1935	May 1935	June 1935	July 1935	Aug. 1935	Sept. 1935	Oct. 1935	Nov. 1935	Dec. 1935	Jan. 1936	Feb. 1936	Mar. 1936	April 1936	Totals

High C. J. C.		5													5
Low C. J. C. plus $6.60 per car												15			15
1/4¢ below C. J. C. low..				47	97	104	53	50	5	40			8		404
1/8¢ below C. J. C. low..		4	10	36	45	8	13	13	9	17	25		15	13	208
Low C. J. C.	8		15	45	1	11	14	95	55	170	178	180	279	279	1330
C.J.C. price for 3rd grade plus 5/8¢					5										5
3/8¢ above C.J.C. low...					20										20
Average C.J.C. high and low					40										40
Totals	8	9	25	128	208	123	80	158	69	227	203	195	302	292	2027
Number of Cars Purchased on Basis of Platts Oilgram Quotations				34	55	40	24								153
Grand Totals	757	914	891	885	1070	876	741	666	601	788	732	610	928	925	11384

PRICES PAID BY DEFENDANT COMPANIES
(Exclusive of Sinclair Refining Company)

For House Brand and Third Grade Gasoline Purchased from Independent Refineries in Mid-Continent Field Compared with Low Quotation in Chicago Journal of Commerce for the Date of Purchase During the Period March 1, 1935 to April 30, 1936 Distributed by Companies
In Tank Cars

Number of Cars Purchased at a Specific Price Which Was	13/16¢ above	3/4¢ above	1/2¢ above	3/8¢ above	5/16¢ above	1/4¢ above	3/16¢ above	1/8¢ above	1/16¢ above	low	1/16¢ below	1/8¢ below	1/4¢ below and under	Miscellaneous	Totals
Barnsdall Refining Corp.	1			1	5	65	4	51	11	514	5	88	36	12	793
Empire Oil & Refining Co.		1	4	9		1		87		595		57	2		756
Louisiana Oil Refining Corp.								1		1056		51			1108
Continental Oil Company								9		49		11	3		72
Deep Rock Oil Corp.										10			76		86
Globe Oil & Refining Co.(3)						5	11	17		30		220	6		289
Gulf Refining Company								91		1070		138	133		1432
Mid-Continent Petr. Corp.				1		41		87		386	17	177	48		757

Number of Cars Purchased at a Specific Price Which Was	13/16¢ above	3/4¢ above	1/2¢ above	3/8¢ above	5/16¢ above	1/4¢ above	3/16¢ above	1/8¢ above	1/16¢ above	low	1/16¢ below	1/8¢ below	1/4¢ below and under	Miscellaneous	Totals
Phillips Petroleum Co.				9		6		261		801		164	72		1313
The Pure Oil Company			7	5		31		57		464		5	15		584
Socony-Vacuum Oil Co., Inc.						5		39		225		79	16		364
Wadhams Oil Company						1		3		89		29	43		165
Shell Petroleum Corp.										311		21			332
Skelly Oil Company			11	1		3		17		504	1	72	34		643
Standard Oil Company (Ind.)								25		455		15			495
Tide Water Oil Company										5		6	4		15
Totals	1	1	22	26	5	158	15	745	11	6564	23	1133	488	12	9204
Percentages			.2%	.3%		1.7%	.2%	8.1%	.1%	71.3%	.3%	12.4%	5.3%	.1%	

Number of Cars Purchased on Basis of Chicago Journal of Commerce Quotations	13/16¢ above	3/4¢ above	1/2¢ above	3/8¢ above	5/16¢ above	1/4¢ above	3/16¢ above	1/8¢ above	1/16¢ above	low	1/16¢ below	1/8¢ below	1/4¢ below and under	Miscellaneous	Totals
Barnsdall Refining Corp.															40
Continental Oil Company															8
Deep Rock Oil Corp.															30
Globe Oil & Refining Co.															95
Mid-Continent Petr. Corp.															10
The Pure Oil Company															45
Socony-Vacuum Oil Co., Inc.															464
Wadhams Oil Company															184
Shell Petroleum Corp.															347
Skelly Oil Company															189
Standard Oil Company (Ind.)															615
Totals															2027
Number of Cars Purchased on Basis of Platts Oilgram Quotations															153
Number of Cars Purchased on Basis of Published Quotations															2180
Grand Total															11384

5421 **GOVERNMENT EXHIBIT NO. 753.**

Stipulation

I

"C. M. Boggs" and the initials "C. M. B." referred to Clyde M. Boggs, a defendant in the above entitled action.

II

Document dated September 4, 1935, written on the letterhead of the Western Petroleum Refiners Association, (Exhibit 755) was written by Clyde M. Boggs and sent to George B. Dickey at the address indicated.

Documents dated January 1, 1938, and bearing the initials "C. M. B." (Exhibits 756 and 795) were prepared under the direction of Clyde M. Boggs and sent to a list of independent refiners, including Dickey Refining Company and the Derby Oil Company.

The following documents entitled, "Confidential—Special Gasoline Questionnaire", are questionnaires which were prepared under the direction of Clyde M. Boggs and distributed to a list of independent refiners, including Derby Oil Company, Omar Refining Company and Eason Oil Company.

Name Appearing Opposite "Name of Company" on the Questionnaire	Month Appearing Opposite "Month of" on the Questionnaire
Eason Oil Co.	Oct. 1935 (Exhibit 758)
Omar Refining Company	Oct. 1935 (Exhibit 759)
Blank (from Omar file)	Nov. 1935 (Exhibit 760)
Blank (from Omar file)	Dec. 1935 (Exhibit 757)
Eason Oil Co.	Dec. 1935 (Exhibit 762)
Omar Refining Co.	Jan. 1936 (Exhibit 761)
Eason Oil Company	Jan. 1936 (Exhibit 163)
Derby Oil Co.	Jan. 1936 (Exhibit 164)
Derby	Mar. 1936 (Exhibit 765)

5422 Document dated February 7, 1936, (Exhibit 766) was received by Clyde M. Boggs.

The following documents (Exhibits 767-781; 783-787) on which the words "Executive Chairman" appear were pre-

pared under the supervision of Clyde M. Boggs, including the insertion in each case of the handwritten figures immediately preceding the typewritten word "barrels", and sent to the refiners from whose files the documents were taken.

Date Appearing on Document	Handwritten Name Appearing on Document, indicating File from which Document was taken.
September 26, 1935	Derby
September 26, 1935	Omar
October 25, 1935	Derby
October 25, 1935	Omar
October 25, 1935	Dickey
November 29, 1935	Dickey
November 29, 1935	Derby
November 29, 1935	Omar
December 20, 1935	Derby
December 20, 1935	Dickey
December 20, 1935	Omar
January 25, 1936	Derby
January 25, 1936	Omar
January 25, 1936	Dickey
March 4, 1936	Derby
March 4, 1936	Omar
March 4, 1936	Dickey
March 28, 1936	Dickey
March 28, 1936	Omar
March 28, 1936	Derby

5423 Document dated September 24, 1935, on which the handwritten words "Omar Refining Company" follow the typewritten words "Name of Company", (Exhibit 788) is a questionnaire prepared under the supervision of Clyde M. Boggs and sent out to the Company indicated.

Documents dated October 8, 1935 (Exhibits 148 and 604), letters addressed to Dan Danciger and T. W. Eason were prepared by Clyde M. Boggs and sent out by him to the persons to whom they were addressed.

III

Wherever any of the above mentioned documents are copies, such copies may be used in lieu of the originals and without the necessity of accounting for the originals.

IV

Any pencil or other notations, including figures in blanks left for the purpose of inserting figures on any of the above mentioned documents or on papers attached to such documents are excluded from this stipulation, except as stated to the contrary above.

V

The defendant expressly reserves the right to all objections which he may desire to present against the admissibility of the above mentioned documents, except as above stipulated.

Dated: November 10, 1937.

W. L. Cunningham
Attorney for Clyde M. Boggs

5424 GOVERNMENT EXHIBIT NO. 755.

Letterhead of Western Petroleum Refiners Association, Tulsa, Oklahoma

September 4, 1935

Mr. Geo. B. Dickey
Dickey Refining Company
Wichita, Kansas

Dear Mr. Dickey:

The regular monthly meeting of Group II refiners will be held at the Muehlebach Hotel, Kansas City, Missouri, at 9:30 a. m. Thursday, September 12th, which meeting you are urged to attend.

Many important subjects will be discussed; therefore, it is imperative that you be represented at the meeting, not only by your sales managers, but also that you attend in person. I cannot overemphasize the importance of your own presence at this and future meetings.

Yours very truly,

C. M. Boggs
President.

5425 **GOVERNMENT EXHIBITS NOS. 756 AND 795.**

January 1, 1936

In the past, questionnaires have been coming in several days after the 10th of the month, therefore we are not able to get the figures tabulated until about the 20th, which is too late.

We want the figures not later than the 12th, allowing three days for compiling, then they will be available the 15th.

Your cooperation will be appreciated.

C. M. B.

(Exhibit 795 is identical with 756, set out above and has not been printed separately.)

NOTE: *It was stipulated* in Exhibit 753 that Exhibits 756 and 795 were prepared under the direction of Clyde M. Boggs and sent to a list of independent refiners including the Dickey Refining Company and the Derby Oil Company.

5426 **GOVERNMENT EXHIBITS NOS. 757-765.**

Name of Company .....

Confidential

Special Gasoline Questionnaire

Month of .....

1. Stocks, First of Month (Refinery ..... (Pipe Line ..... (Total Stocks .....
2. Production .....
3. *Purchases:
   (A) Purchases from Other Refiners.....
   (B) Purchases from Other Refiners.....
4. *Purchases on Exchange.....

Total Items 1, 2, 3 and 4 .....

5. Shipments to Regular Trade.....
6. *Shipments:
   (A) Shipments to Other Refiners.....
   (B) Shipments to Other Refiners.....
7. *Shipments on Exchange.....
8. Stocks, End of Month—(Refinery ..... (Pipe Line ..... (Total .....

Total Items 5, 6, 7 and 8 .....

5427 Crude Runs to Stills .....
Estimated Production in .....
Estimated Shipments in .....
Surplus to Offer in .....
Stocks Required, End of .....

All information to be computed on same basis formerly used in reporting data to Planning and Coordination Committee.

(Exhibits 761, 763 and 764 had added to this form "Please return this Questionnaire not later than the 12th of the month".)

(Specific figures appearing on Questionnaires are not printed.)

NOTE: *It was stipulated* in Exhibit 753 that the above documents were Questionnaires prepared under the direction of Clyde M. Boggs and distributed to a list of independent refiners including Derby, Omar, and Eason.

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* Attach list showing names of refiners and number of cars by grades.

5428 **GOVERNMENT EXHIBIT NO. 766.**

February 7, 1936

C. M. Boggs,
Kanotex Refining Company
Arkansas City, Kansas.

Dear Sir:

I am enclosing herewith questionnaire for the month of February.

Yours very truly,
The Derby Oil Company
F. W. McCurry,
Vice President In Charge of Manufacturing

5429 **GOVERNMENT EXHIBIT NO. 767.**

September 26, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of October should not exceed 95,000[22] barrels.

Executive Chairman

(Handwritten Notation):
"Derby"

NOTE: *It is stipulated* in Exhibit 753 that the group of Exhibits numbered 767-781 and 783-787 were prepared under the supervision of Clyde M. Boggs, including the insertion in each case of the figures immediately preceding the word "Barrels" and sent to the refiners named on each of the exhibits.

5430 GOVERNMENT EXHIBIT NO. 768.

September 26, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of October should not exceed 50,000°° barrels.

Executive Chairman

(Handwritten Notations):

"Apparently received
from Mr. Boggs because
the envelope (plain one)
was marked 'Arkansas City'
B.A.P. 9/27/35".
"Omar"

5431 GOVERNMENT EXHIBIT NO. 769.

October 25, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of November should not exceed 95000°° barrels.

Executive Chairman

(Handwritten Notation):

"Derby"

5432 GOVERNMENT EXHIBIT NO. 770.

October 25, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of Noven ber should not exceed 48000°° barrels.

Executive Chairman

(Handwritten Notation):

"Omar"

5433 GOVERNMENT EXHIBIT NO. 771.

October 25, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of November should not exceed 28,000^{00} barrels.

Executive Chairman

(Handwritten Notation):

"Dickey"

5434 GOVERNMENT EXHIBIT NO. 772.

November 29, 1935

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of December should be as follows:

Refinery ..... 26000^{00} barrels
Buy ..... 1000^{00} barrels
Total Production ..... 27000^{00} barrels

Executive Chairman

(Handwritten Notation):

"Dickey"

5435 GOVERNMENT EXHIBIT NO. 773.

November 29, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of December should be as follows:

Refinery ..... 81000^{00} barrels
Buy ..... 3000^{00} barrels
Total Production ..... 84000^{00} barrels

Executive Chairman

(Handwritten Notation):

"Derby"

5436 GOVERNMENT EXHIBIT NO. 774.

November 29, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of December should not exceed 44000^{00} barrels.

Executive Chairman

(Handwritten Notation):
"BAP 12/9/35"
"Omar"

5437 GOVERNMENT EXHIBIT NO. 775.

December 20, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of January should be as follows:

Refinery .....84000^{00} barrels
Buy .....——— barrels
Total Production .....84000^{00} barrels

Executive Chairman

(Handwritten Notation):
"Derby"

5438 GOVERNMENT EXHIBIT NO. 776.

December 20, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of January should be as follows:

Refinery .....30000^{00} barrels
Buy .....——— barrels
Total Production .....30000^{00} barrels

Executive Chairman

(Handwritten Notation):
"Dickey"

5439 GOVERNMENT EXHIBIT NO. 777.

December 20, 1935

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of January should be as follows:

Refinery . . . . . 43000^{00} barrels
Buy . . . . . ——— barrels
Total Production . . . . . 43000^{00} barrels

Executive Chairman

(Handwritten Notation):
"BAP 12/26/35"
"Omar"

5440 GOVERNMENT EXHIBIT NO. 778.

January 25, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of February should be as follows:

Total production . . . . . 85000^{00} barrels

Executive Chairman

(Handwritten Notation):
"Derby"

5441 **GOVERNMENT EXHIBIT NO. 779.**

January 25, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of February should be as follows:

Total production 43000[22] barrels

Executive Chairman

(Handwritten Notation):

"Omar"

5442 **GOVERNMENT EXHIBIT NO. 780.**

January 25, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of February should be as follows:

Total production 27000[22] barrels.

Executive Chairman

(Handwritten Notation):

"Dickey"

5443 **GOVERNMENT EXHIBIT NO. 781.**

March 4, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of March should be as follows:

Total production 90000[22] barrels

Executive Chairman

(Handwritten Notation):

"Derby"

5444 GOVERNMENT EXHIBIT NO. 783.

March 4, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of March should be as follows:

Total production 41000^{00} barrels

Executive Chairman

(Handwritten Notations):

"Day phoned recently and told Lakman that stocks were increasing at all plants and the situation called for reduced production; that we would receive 41,000 bbls. for March; but if we found later on in the month that we wanted more, we could ask for it. B. A. P."

"Incidentally, Day asked Lakman what we planned to make for March and Lakman said he did not know. B. A. P. 3/5/36"
"Omar"

5445 GOVERNMENT EXHIBIT NO. 784.

March 4, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of March should be as follows:

Total production 35000^{00} barrels

Executive Chairman

(Handwritten Notation):

"Dickey"

5446 GOVERNMENT EXHIBIT NO. 785.

March 28, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of April should be as follows:

Total production 28000^{00} barrels

Executive Chairman

(Handwritten Notation):

"Dickey"

5447 GOVERNMENT EXHIBIT NO. 786.

March 28, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of April should be as follows:

Total production 43000^{00} barrels

Executive Chairman

(Handwritten Notation):

"Omar"

5448 GOVERNMENT EXHIBIT NO. 787.

March 28, 1936

Gentlemen:

Analysis of the figures submitted by the various refiners reveals that your gasoline production for the month of April should be as follows:

Total production 85000^{00} barrels

Executive Chairman

(Handwritten Notation):

"140,000 BBL crude"

"Derby"

Name of Company—Omar Refining Company

Date—September 24, 1935

	Stocks	Production	Shipments for Differential or Exchange	Shipments to Regular Trade	Distress Shipments to other Refiners — List Amounts, Dates and Name of Refiner on Separate Sheet by Grades	Total Shipments	Distress to Offer	Stocks Required
1st.....	19,093							
June 30th.....	8,626	55,909	None	46,376	20,000	66,376	None	10,000
1st.....	8,626							
July 31st.....	10,892	55,954		47,088	6,600	53,688		10,000
1st.....	10,892							
Aug. 31st.....	7,605	56,762		44,649	15,400	60,049		10,000
Sept. 1st.....	7,605							
Sept. 10th.....	7,581	18,500		13,724	4,800	18,524		10,000

Copy of report sent to
C. M. Boggs, Kanotex Ref. Co.
Arkansas City, Kansas 9/24/35 (?)
On bottom of report sent to C. M. Boggs—shipments to other refiners were shown in detail similar to schedule on attached working sheet.

NOTE:—*June Allocation* 55,000
Contemplated Stock required end of each month to January 1st 10,000.
Minimum working stock—exclusive of tank bottoms. 15,000 (including 5,000 unfinished).

NOTE:—*It is stipulated* in Exhibit 753 that this was a questionnaire prepared under the supervision of Clyde M. Boggs and sent out to the com-

3294

Government Exhibit No. 788.

5450 GOVERNMENT EXHIBITS NOS. 789-794,* 796-804.

NOTE: *It was stipulated* in Exhibit 820 that these questionnaires were sent to all members of the Western Petroleum Refiners' Association and that some or all of these questionnaires, filled out in whole or in part, were received by said Association.

Form of Exhibit 789.

Western Petroleum Refiners Association Company No.
607 Cosden Bldg., Tulsa, Oklahoma

Statistical Information, Month of

Inventory, _____
Crude Runs to Stills, _____
Gasoline Production, _____
Gasoline Shipments, _____
Inventory, _____

(1) Sales to Other Refiners _____

(1) Purchases from Other Refiners _____
Inventory _____
Crude Runs to Stills, _____
Gasoline Production, _____
Gasoline Shipments, _____
Inventory, _____

Notes: All information to be computed on same basis formerly used in reporting data to Planning and Coordination Committee.
Individual company information to be held strictly confidential.

(1) List names of refiners and number of cars.

* Exhibit 795 is identical with Exhibit 756, and has not been printed.

5451 **Form of Exhibits 790 and 791.**

Western Petroleum Refiners Association Company No. .....
607 Cosden Building, Tulsa, Oklahoma

Gasoline Statistical Information

Month of .....

Inventory First of Month	(Refinery	.....
	(Pipe Line	.....
	(Total	.....
Crude Runs to Stills		.....
Gasoline Production		.....
Gasoline Shipments		.....
Inventory End of Month	(Refinery	.....
	(Pipe Line	.....
	(Total	.....
*Sales to Other Refiners		.....
*Purchases from Other Refiners		.....

Notes: All information to be computed on same basis formerly used in reporting data to Planning and Coordination Committee.

Individual company information to be held strictly confidential and used for statistical purposes only.

---

* List names of refiners and number of cars.

5452 Form of Exhibits 792-794; 796-801.

Western Petroleum Refiners Association
607 Cosden Building, Tulsa, Oklahoma Company No. .....

Gasoline Statistical Information

Month of .....

1. Stocks First of Month (Refinery .....
(Pipe Line .....
(Total Stocks .....

2. Production .....

3. **Purchases:
(A) Purchases from Other Refiners.....
(B) Purchases from Other Refiners.....

4. **Purchases on Exchange.....

Total Items 1, 2, 3 and 4 .....

5. Shipments to Regular Trade.....

6. **Shipments:
(A) Shipments to Other Refiners.....
(B) Shipments to Other Refiners.....

7. **Shipments on exchange.....

8. Stocks, End of Month (Refinery .....
(Pipe Line .....
(Total Stocks .....

Total Items 5, 6, 7 and 8 .....

Crude Runs to Stills.....

Estimated Production in.....

Estimated Shipments in.....

Notes: All information to be computed on same basis formerly used in reporting data to Planning and Coordination Committee.

Individual company information to be held strictly confidential and used for statistical purposes only.

Please return this questionnaire not later than the 12th of the month.

** Attach list showing names of refiners and numbers of cars.

5453 **Form of Exhibit 802.**

Western Petroleum Refiners Association Company No.....
607 Cosden Building, Tulsa, Oklahoma

Confidential

Special Fuel Oil Statistical Information

Fuel Oil (All Grades Zero):

Inventory Available for Shipment _____
Total Production, _____
Inventory Available for Shipment _____
Total Production, _____

Fuel Oil (15° and Above)

Inventory Available for Shipment _____
Total Production, _____
Inventory Available for Shipment _____
Total Production, _____

Form of Exhibits 803-804.

Western Petroleum Refiners Association Company No.....
607 Cosden Building, Tulsa, Oklahoma

Confidential Questionnaire

Month of .....

5454	Stocks (1st of Month)	Production	Shipments	Stocks (End of Month)
Kerosene				
41-43				
42-44				
Tractor Fuels				
A (WPRA) (Non-Taxable)				
Taxable Grade				
Furnace & Gas Oil				
No. 1. White				
No. 1 Straw (38-40)				
No. 2 Straw (32-36)				
No. 2 Dark (32-36)				
U. C. I.				
Fuel Oil				
28-30 Zero				
24-28				
18-22				
14-16				

All figures to be shown in barrels.

Please return this questionnaire not later than the 12th of the month.

5455 GOVERNMENT EXHIBITS NOS. 805-808.

Instructions for Filling Out Enclosed Questionnaire

Production:

Figured the same as the old P & C method:

"To the total amount of finished and unfinished gasoline on hand at the end of the month, add the total shipments of finished and unfinished gasoline, if any, shipped to other refiners for reforming or rerunning. From the total of those items deduct the amount of finished and unfinished gasoline (as defined) on hand at the beginning of the month. Deduct also any quantities of finished or unfinished gasoline purchased or received from other refiners for rerunning or reforming. The net result shall be considered the production of gasoline."

Production to include natural gasoline purchased used in all motor fuel.

Purchases

"A" To include all gasoline purchased for saving in freight and to build up inventories.

"B" To include purchases made during the month for any reason above the estimate made for item "A".

Purchases on Exchange

Purchases and shipments on exchange should balance. These purchases and shipments from other refiners are to and from territory to save in the freight differential only. If the purchases and shipments do not balance, the difference to be charged to production or shipments as the case may be.

Shipments to Regular Trade

All shipments to own outlets, on contract or spot.

Shipments

"A" All shipments to other refiners for freight saving or to build up inventories.

"B" Shipments made during the month above the estimate made for item "A", or for other reasons.

Shipments on Exchange Explained above.

Stocks

Are the inventories at the first and last of each month of all finished and unfinished gasoline and naphtha boiling under 437° F.

5456 The total of items 1, 2, 3 and 4 should balance with the total of items 5, 6, 7 and 8.

Estimated production to be amount of gasoline produced from stills, plus all purchased natural gasoline and purchases from other refiners.

All quantities to be shown in barrels.

Exhibits 806-808 are identical with 805, set out above, and have not been printed.

NOTE: *It was stipulated* in Exhibit 820 that these instructions accompanied the first questionnaire which the Western Petroleum Refiners' Association sent to its members when it resumed the gathering of statistics in August 1935.

5457 GOVERNMENT EXHIBIT NO. 809.

Identical with Government Exhibit No. 231C.

GOVERNMENT EXHIBIT NO. 810.

Identical with Government Exhibit No. 231B.

5458 **GOVERNMENT EXHIBIT NO. 811.**

Total Cars Purchased During May, 1935

By	No. Cars
Anderson-Prichard	20
Barnsdall	50
Continental	45
Empire	53
Globe	98
Gulf (From Simms)	1
Humble (From Simms)	4
Magnolia (From Simms)	10
Marathon (From Simms)	9
Mid-Continent	80
Phillips	133
Pure	33
Shell	45
Sinclair	60
Skelly	88
Standard of Indiana	75
Tidewater (From Simms)	10
Wadhams	115
Total May	929 Cars

5459 GOVERNMENT EXHIBIT NO. 812-A.

Total Cars Purchased During May, 1935

From	By	No. Cars	Total
Acme Petroleum Co	Globe	10	10
Bell Oil & Gas Co	Barnsdall	5	
	Shell	5	10
Bradshaw (Dallas)	Shell	5	5
Carson Petroleum Co	Globe	1	1
Champlin Refining Co	Phillips	8	8
Cooperative Consumers	Continental	5	
(Megargel, Texas)	Sinclair	5	10
Cushing Refining & Gaso Co	Anderson-Prichard	10	
	Globe	1	
	Shell	25	
	Wadhams	17	53
Danciger Refining Co	Wadhams	50	50
Dale W. Moore	Mid-Continent	6	6
Dickey Refining Co	Globe	10	10
East Texas Refining Co	Globe	5	
	Wadhams	13	18
Eason Oil Co	Anderson-Prichard	10	
	Phillips	30	
	Wadhams	4	44
Lubbock Refining Co	Continental	5	5
Olney Oil & Ref Co	Empire	33	33
Omar Refining Co	Wadhams	20	
	Barnsdall	5	
	Globe	41	
	Phillips	2	
	Pure	5	
	Skelly	1	74
Panhandle Refining Co	Pure	9	
	Sinclair	20	29
Primrose Refining Co	Phillips	5	5
Rock Island Refining Co	Phillips	29	29
Shamrock Oil & Gas Co	Continental	16	16

5460 GOVERNMENT EXHIBIT NO. 812-B.

Page 2 May Purchases.

From	By	No. Cars	Total
Simms Oil Company	Humble	4	
	Magnolia	10	
	Tidewater	10	
	Gulf	1	
	Marathon	9	
	Barnsdall	5	
	Continental	14	
	Empire	20	
	Globe	10	
	Mid-Continent	30	
	Phillips	15	
	Pure	9	
	Shell	10	
	Sinclair	35	
	Skelly	15	
	Wadhams	11	208
Sunray Oil Company	Skelly	1	1
Tansel Petroleum Co	Phillips	5	5
Taxman Refining Co	Continental	5	
	Globe	5	
	Mid-Continent	12	
	Phillips	39	
	Skelly	50	111
Vaughn Petroleum Co	Globe	5	5
Vickers Petroleum Co	Barnsdall	5	
	Mid-Continent	10	
	Pure	10	
	Globe	10	35
Waggoner Refining Co	Barnsdall	30	
	Mid-Continent	22	
	Skelly	15	
	Standard of Indiana	75	142
Wilcox Oil & Gas Co	Skelly	6	6
	Total May		929 Cars

5461 **GOVERNMENT EXHIBIT NO. 813-A.**

Total Cars Gasoline Purchased During June, 1935.

Barnsdall	10	
Continental	60	
Empire	114	
Globe	23	
Mid-Continent	105	
Phillips	47	
Pure	35	
Shell	25	
Sinclair	44	
Skelly	85	
Socony-Vacuum	110	
Standard of Indiana	60	
Total	718	Cars

5462 GOVERNMENT EXHIBIT NO. 813-B.

Total Cars Gasoline Purchased During June, 1935.

From	By	No. Cars	Total
Bell Oil & Gas Co	Empire	5	5
Black, Gold Refining Co	Mid-Continent	3	3
L. O. Carter Co. (Okla City material)	Mid-Continent	11	11
Century Refining Co	Socony-Vacuum	5	5
Cushing Refining & Gas Co	Shell	15	
	Socony-Vacuum	20	35
Cooperative Consumers (Megargel, Texas)	Continental	2	
	Sinclair	5	7
Dale W. Moore	Mid-Continent	8	
	Skelly	5	13
East Texas Refining Co	Socony-Vacuum	32	32
Eason Oil Company	Socony-Vacuum	5	
	Phillips	2	7
Gilliland Refining Co. (East Texas)	Socony-Vacuum	8	
	Mid-Continent	10	18
Hercules Oil Co (East Texas material)	Mid-Continent	8	
	Skelly	5	13
Industrial Petroleum Co (East Texas material)	Mid-Continent	11	
	Socony-Vacuum	4	
	Globe	3	18
Lubbock Oil & Refining Co	Continental	3	3
McMurray Refining Co (East Texas)	Barnsdall	5	
	Empire	10	15
Olney Oil & Refining Co	Empire	80	80
Omar Refining Co	Phillips	5	
	Socony-Vacuum	18	
	Sinclair	30	
	Pure	25	78
Panhandle Refining Co.	Continental	7	
	Mid-Continent	5	
	Sinclair	9	21

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Ffom	By	No. Cars	Total
Simms Oil Company	Continental	22	
	Socony-Vacuum	12	
	Skelly	19	
	Phillips	10	
	Empire	4	
	Mid-Continent	5	
	Pure	10	82
Southport Petroleum Co (East Texas)	Socony-Vacuum	3	3
Texas-Pacific Coal & Oil Co	Shell	10	
	Mid-Continent	10	
	Empire	10	30
Tansel Petroleum Co (East Texas material)	Mid-Continent	9	9
Taxman Refining Co	Continental	26	
	Globe	10	
	Empire	5	
	Mid-Continent	20	
	Phillips	27	
	Skelly	41	129
Trans-American Petroleum Co (East Texas material)	Globe	10	10
Tyreco Refining Co (East Texas)	Socony-Vacuum	3	
	Skelly	5	8
Waggoner Refining Co	Barnsdall	5	
	Standard of Indiana	60	
	Mid-Continent	5	70
Wilcox Oil & Gas Co	Skelly	10	
	Phillips	3	13
	Total		718 Cars

5464 GOVERNMENT EXHIBIT NO. 814-A.

Total Cars Gasoline Purchased During July, 1935.

By	From	No. Cars	Total
Barndall	Dale W. Moor	5	
	Waggoner Refining Co	10	
	Tansel Petroleum Co	5	
	Hercules Oil Co	5	25
Continental	Monarch Oil Co (Okla City)	3	
	Panhandle Refining Co	4	
	Taxman Refining Co	42	
	Waggoner Ref Co (Dale Moore)	7	
	Shamrock Oil and Gas Co	3	
	Wirt-Franklin Petro Corp	10	69
Empire	Olney Oil & Ref Co	60	60
Globe	Henry H. Cross	6	
	Black Gold Ref Co	3	
	East Texas Ref Co	10	19
Mid-Continent	Taxman Ref Co	38	
	L. O. Carter Co	11	
	Dale W. Moore	8	57
Phillips	Dale Moore	3	
	Taxman Ref Co	22	
	L. O. Carter Co	2	
	Texas-Pacific Coal & Oil	10	
	Waggoner Ref Co	5	42
Pure	Waggoner Ref Co	22	
	Wirt-Franklin Petro Corp	10	32
Shell	Bradshaw (McMurrey)	10	
	Black Gold Ref Co	2	12
Sinclair	Panhandle Ref Co	30	
	Wirt-Franklin	10	40
Skelly	Gilliland Ref Co	10	
	Taxman Refining Co	72	
	Texas Oil Products Co	10	
	Waggoner Refining Co	16	
	Wilcox Oil & Gas Co	14	
	Wirt-Franklin Petro Corp	20	142
Socony-Vacuum	Cushing Ref & Gaso Co	35	
	Wilcox Oil & Gas Co	2	
	McMufrey Refining Co	1	
	Danciger Oil & Ref Co	13	
	Texas Oil Products Co	4	
	Johnston-Burnham (E Tex)	2	
	East Texas Ref Co	12	69
Standard of Indiana	Waggoner Refining Co	50	50
	Total July		617 Cars

5465 GOVERNMENT EXHIBIT NO. 814-B.

Total Cars Gasoline Purchased During July, 1935.

From	By	No. Cars	Total
Black Gold Refining Co	Shell	2	
	Globe	3	5
L. O. Carter Co	Mid-Continent	11	
	Phillips	2	13
Cushing Refining & Gaso Co	Socony-Vacuum	35	35
H. H. Cross Co	Globe	6	6
Dale W. Moore	Barnsdall	5	
	Mid-Continent	8	
	Phillips	3	16
Danciger Refining Co	Socony-Vacuum	13	13
East Texas Refining Co	Socony-Vacum	12	
	Globe	10	22
Gilliland Ref Co (E Tex)	Skelly	10	10
Hercules Oil Co (Dallas)	Barnsdall	5	5
Johnson-Burnham Co (E Tex)	Socony-Vacuum	2	2
McMurrey Refining Co (E Tex)	Shell	10	
	Socony-Vacuum	1	11
Monarch Ref Co (Okla City)	Continental	3	3
Olney Oil & Ref Co	Empire	60	60
Panhandle Ref Co	Continental	4	
	Sinclair	30	34
Shamrock Oil & Gas Co	Continental	3	3
Tansel Petroleum Co	Barnsdall	5	5
Taxman Refining Co	Mid-Continent	38	
	Continental	42	
	Skelly	72	
	Phillips	22	174
Texas Oil Products (E Tex)	Socony-Vacuum	4	
	Skelly	10	14
Texas-Pacific Coal & Oil	Phillips	10	10
Waggoner Refining Co	Pure	22	
	Standard (Indiana)	50	
	Barnsdall	10	
	Continental	7	
	Skelly	16	
	Phillips	5	110

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From	By	No. Cars	Total
Wilcox Oil & Gas Co	Socony-Vacuum	2	
	Skelly	14	16
Wirt-Franklin Petro Corp	Skelly	20	
	Continental	10	
	Sinclair	10	
	Pure	10	50
	Total July		617

5467 GOVERNMENT EXHIBIT NO. 815.

February 7, 1936.

Western Petroleum Refiners Association,
Tulsa, Oklahoma
Attention: J. C. Day

Dear Sir:

I am enclosing herewith questionnaire for the month of February.

Yours very truly,
The Derby Oil Company,
F. W. McCurry,
Vice President
In Charge of Manufacturing.

5468 GOVERNMENT EXHIBIT NO. 816.

Minimum Stocks

1936

	Fixed Unavailable	Shipable Material	Total
July 1st	5,000	25,000	30,000
August 1st	5,000	20,000	25,000
September 1st	5,000	15,000	20,000
October 1st	4,000	10,000	14,000
November 1st	3,000	5,000	8,000
December 1st	2,000	5,000	7,000

Note: Fixed Unavailable includes all material in lines, processing equipment, agitators, treating systems, tank bottoms, and minimum reserve stocks necessary for economical operation. This includes all unfinished naphthas and gasolines.

Shipable Material includes all naphthas and gasolines necessary to conduct operation in an orderly and economic manner to protect shipments for a period of five to seven days and any unexpected shut-down, also seasonal stocks if necessary to accumulate for spring and summer deliveries.

(Note: It was stipulated in Exhibit 820 that this was a questionnaire which was prepared by the Western Petroleum Refiners' Association and sent to all of its members. Some or all of those questionnaires, filled out in whole or in part, were received by the Association. Figures in blanks left for the purpose of inserting figures were excluded from the stipulation.)

(Handwritten Notation):

"Boggs"

5469 GOVERNMENT EXHIBIT NO. 817.

February 5, 1936.

J. C. Day,
Cosden Building,
Tulsa, Oklahoma.

Dear Mr. Day:

I am reporting to you an overage in our gasoline production. Instead of the 85,000 barrels which we were supposed to run, we ran 86, (marginal note: (O. K.)) 435, an over-production of 1,435 barrels. Most of this overage was caused by our gasoline stocks getting lower than we anticipated, and right at the end of the month we were forced to buy several cars of natural gasoline in order to bring our blending tank specifications down for winter use. It was not our intention to disregard the allocation and arbitrarily overrun this amount, and I am sure adjustment on this can be made which will be satisfactory to both W. P. R. A. and the Derby Oil Company.

I would like to call to your attention at this time that we are building a new unit which will replace the entire battery of crude stills in our refinery. This unit is being built by Foster-Wheeler Engineering Company and will be finished about the first of April, but in the meantime, in order to put some of our refractionating towers into this service, it is going to be necessary for us to cut our runs and possibly not be able to run our allocation. This partial shutdown will probably come during the month of March, and it may be necessary for us to make arrangements to run part of our March allocation during the month of February. If this can be worked out, I would appreciate your notifying us so we can make arrangements to increase our runs for the month of February.

Yours very truly,
The Derby Oil Company,
F. W. McCurry,
Vice-President,
in Charge of Manufacturing.

5470 GOVERNMENT EXHIBIT NO. 818.

December 26, 1935.

Mr. J. C. Day,
Western Petroleum Refiners Association,
Tulsa, Oklahoma.

Dear Mr. Day:

After our last refiners' meeting held at Kansas City, Mr. Derby informed you that we would probably produce 75,000 barrels of gasoline during the month of December. This was 6,000 barrels less than our allowable of 81,000.

On account of our shipments having decreased considerably more than we contemplated in our last questionnaire, and since it is the policy of the management of our company to regulate our production according to actual shipments and inventory, we will produce only 73,000 barrels of gasoline instead of the 81,000 barrels allocated to us.

This leaves a balance of 8,000 barrels to return to you; however, in returning this gasoline we request that you do not reallocate or give it to any other refiner for three reasons:

First, we have decreased our inventory of gasoline to date 5,000 barrels under inventory as of December first.

Second, we have purchased at the request of Mr. A. D. Borque 2,000 barrels of distressed gasoline from the Dickey Oil Company at McPherson.

Third, we have curbed our operations for the purpose of helping stabilize the business as a whole and avoid price destruction.

Since it is a little late to wish you a Merry Christmas, we sincerely wish you a Happy New Year.

Very truly yours,
The Derby Oil Company,
F. W. McCurry,
Vice-President,
in Charge of Manufacturing.

5471 GOVERNMENT EXHIBIT NO. 819.

March 30, 1936.

Mr. A. V. Bourque,
Western Petroleum Refiners Association,
Tulsa, Oklahoma

Dear Sir:

Your notice of March 28 states that our allowable gasoline production for April is 28,000 barrels.

I am afraid this is not going to be a sufficient amount, as our sales are very heavy and our storage is practically depleted. From my own estimate I should judge we would require a production of 35,000 barrels and I would like to suggest that we will operate on the basis of 28,000 barrels and when we find this is going to be an insufficient amount we will let you know and you will grant us the privilege of running sufficient gasoline to take care of our trade and demand for the month of April.

Yours very truly,
The Dickey Refining Company,
A. M. Ballard.

CC: Mr. Clyde Boggs,
Kanotex Refining Co.,
Arkansas City, Kansas

5472 **GOVERNMENT EXHIBIT NO. 820.**

Stipulation

I

The initials "J.C.D." are those of John C. Day.

"A. V. Bourque" is Arthur V. Bourque, a defendant in the above entitled action.

II

Document dated April 13, 1936, written on the letterhead of the Western Petroleum Refiners Association and addressed "To Mid-Continent Refiners", was prepared by John C. Day and sent out by the Western Petroleum Refiners Association to its members who operated in the Mid-Continent.

The following documents (Exhibits 789-794; 796-801) entitled, either "Statistical Information" or "Gasoline Statistical Information" on which are the typewritten words "Western Petroleum Refiners Association, 607 Cosden Building, Tulsa, Oklahoma", in the upper left-hand corner, are copies of questionnaires which were sent to all members of the Western Petroleum Refiners Association. Some or all of those questionnaires, filled out in whole or in part, were received by Western Petroleum Refiners Association.

Number Appearing Opposite Words "Company No."	Month Appearing Opposite Words "Month of"	
19	July	1935
26	Aug.	1935
26	Sept.	1935
26	Oct.	1935
15	Nov.	1935
26	Nov.	1935
26	Dec.	1935
13	Jan.	1936
26	Jan.	1936
5473 26	Feb.	1936
26	Mar.	1936
13	Mar.	1936
15	May	1936

Document entitled, "Special Fuel Oil Statistical Information" (Exhibit 802) is a copy of the questionnaire which was prepared by the Western Petroleum Refiners Association, and copies of such questionnaire were sent to all of its members. Some or all of those questionnaires, filled out in whole or in part, were received by Western Petroleum Refiners Association.

Documents entitled, "Confidential Questionnaire—Month of Mar. 1936" (Exhibit 803), and "Confidential Questionnaire—Month of May, 1936" (Exhibit 804) are copies of questionnaires which were prepared by the Western Petroleum Refiners Association, and copies of such questionnaires were sent to all of its members. Some or all of those questionnaires, filled out in whole or in part, were received by Western Petroleum Refiners Association.

Documents entitled "Instructions for Filling out Enclosed Questionnaire" (Exhibits 805-808) are copies of instructions accompanying the first questionnaire which the Western Petroleum Refiners Association sent to its members when it resumed the gathering of statistics in August 1935.

Documents entitled, "Total Cars Purchased during March 1935", "Total Cars Purchased during April 1935", "Total Cars Purchased during May 1935" (2 reports), "Total Cars Purchased during June 1935" (2 reports), "Total Cars Purchased during July 1935" (2 reports), (Exhibits 809-814 respectively) were prepared by Arthur V. Bourque and made available to anyone desiring them.

Document dated February 7, 1936 (Exhibit 815), is a copy of a letter apparently written by the Derby Oil Company, the original of which was received by the Western Petroleum Refiners Association.

Document entitled "Minimum Stocks—1936" (Exhibit 816) is a copy of a questionnaire which was prepared by the Western Petroleum Refiners Association and sent
5474 to all of its members. Some or all of those questionnaires, filled out in whole or in part, were received by Western Petroleum Refiners Association.

Document dated March 30, 1936 (Exhibit 819), is a copy of a letter addressed to A. V. Bourque, Western Petroleum Refiners Association, Tulsa, Oklahoma. The original was received by Arthur V. Bourque and at the sender's request, was returned to the sender with the statement that Arthur V. Bourque had not sent the "notice of March 28" men-

tioned in the document, and that he (Arthur V. Bourque) had no connection with the matters therein mentioned.

John C. Day, if called as a witness, would testify that he received the original of document dated February 5, 1936 (Exhibit 817), addressed to J. C. Day, Cosden Building, Tulsa, Oklahoma, and the original of document dated December 26, 1935 (Exhibit 818), addressed to Mr. J. C. Day, Western Petroleum Refiners Association, Tulsa, Oklahoma; and that since August 15, 1935 he has been an employe of Western Petroleum Refiners Association.

III

Any pencil or other notations, including figures in blanks left for the purpose of inserting figures on any of the above mentioned documents or on papers attached to such documents are excluded from this stipulation.

IV

The defendant expressly reserves the right to all objections which he may desire to present against the admissibility of the above mentioned documents, except as above stipulated.

Ralph Horween,
Attorney for Arthur V. Bourque.

Dated:
11 November, 1937.

5475 **GOVERNMENT EXHIBIT NO. 821.**

Stipulation.

It is hereby stipulated and agreed by the undersigned counsel for defendants in the above entitled cause that A. P. Reuther, General Manager, Crude Oil Department, Shell Petroleum Corporation, if called as a witness by the Government would testify as follows:

That he has no independent recollection of the persons who were present at a meeting held in the office of Edward J. Bullock, Vice-President in Charge of Purchases, Standard Oil Company (Indiana), on February 5, 1935; that he, A. P. Reuther was present at such a meeting; that he wrote the letter bearing his initials addressed to Messrs. Fraser, Bascom, van Eeghen and Lakin, dated February 6, 1935, Exhibit No. 177, and that while he does not remember the facts stated therein he believes they were correct at the time he wrote them.

Said A. P. Reuther would further testify, if questioned, that he has since learned that Allan Jackson, referred to in said Exhibit No. 177, states that he was not present at said meeting, and that this would raise some doubt in his mind on this point.

William J. Donovan.

5476 **DEFENSE EXHIBIT NO. 825.**

(Certified by Archivist of the United States to be copy of document on file in The National Archives.)

Executive Order

Administration of the Petroleum Industry.

Pursuant to the authority vested in me by Section 2 (b) of Title I of the Act of June 16, 1933, known as the "National Industrial Recovery Act" (Public No. 67, 73d Congress), and in accordance with Section 2 of Article I and Section 1 (b) of Article VII of the Code of Fair Competition adopted by the petroleum industry and approved by me August 19, 1933, I hereby designate and appoint, for the petroleum industry, the Secretary of the Interior to be Administrator and the Department of the Interior to be the Federal Agency, as provided by the aforesaid Act and Code of Fair Competition, to exercise on my behalf and in my stead all the functions and powers vested in me, or in any Federal Agency, by such Act and such Code of Fair Competition.

Franklin D. Roosevelt.

The White House,
August 28, 1933.

5477 **DEFENSE EXHIBIT NO. 826.**

(Certified by the Department of the Interior to be copy of document on file in that Department.)

Order
Under Code of Fair Competition
For the Petroleum Industry as
Approved by the President August 19, 1933

There is hereby established a Board to be known as the Petroleum Administrative Board of the Department of the Interior, the functions of which shall be to advise with and make recommendations to the Secretary of the Interior as the Administrator of the Code of Fair Competition for the Petroleum Industry pursuant to Executive Order of August 28, 1933, which Executive Order was pursuant to the provisions of the National Industrial Recovery Act approved June 16, 1933 (Public No. 67, 73d Congress). Said Board shall also perform such administrative functions as may be detailed to it by the Secretary of the Interior, and shall consist of the following:

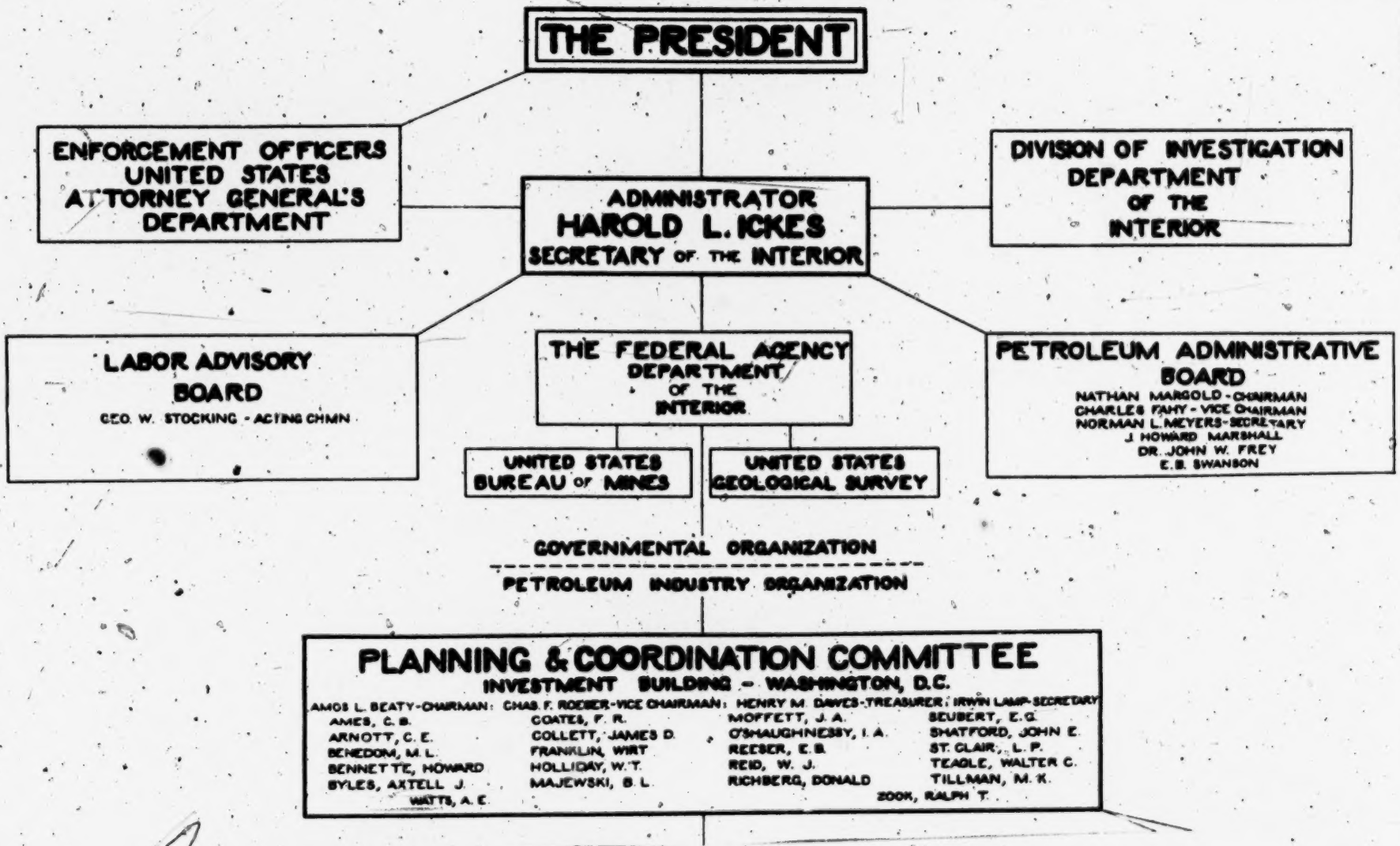
1. Nathan R. Margold, Chairman,
2. Charles Fahy, Vice-Chairman,
3. Norman L. Meyers, Secretary,
4. J. Howard Marshall,
5. J. Elmer Thomas, Special Technical Adviser,
6. Ed. B. Swanson,
7. John W. Frey.

Harold L. Ickes
Secretary of the Interior.

September 11, 1933.

CHART OF ORGANIZATION OF THE PETROLEUM INDUSTRY UNDER THE CODE OF FAIR COMPETITION

AUGUST 1934



Defense Exhibit No. 827

PLANNING & COORDINATION COMMITTEE

INVESTMENT BUILDING – WASHINGTON, D.C.

AMOS L. BEATY-CHAIRMAN; CHAS. F. ROESER-VICE CHAIRMAN; HENRY M. DAWES-TREASURER; IRWIN LAMP-SECRETARY

AMES, C. B.
ARNOTT, C. E.
BENEDUM, M. L.
BENNETTE, HOWARD
BYLES, AXTELL J.
COATES, F. R.
COLLETT, JAMES D.
FRANKLIN, WIRT
HOLLIDAY, W. T.
MAJEWSKI, B. L.
MOFFETT, J. A.
O'SHAUGHNESSY, I. A.
REESER, E. B.
REID, W. J.
RICHBERG, DONALD
SEUBERT, E. G.
SHATFORD, JOHN E.
ST. CLAIR, L. P.
TEAGLE, WALTER C.
TILLMAN, M. K.
WATTS, A. E.
ZOOK, RALPH T.

SUB-COMMITTEES

(A) STATISTICAL	(B) PRODUCTION	(C) REFINERY	(D) MARKETING	(E) ACCOUNTING	(F) LABOR	(G) LEGAL	(H) TRANSPORTATION	(I) FINANCE	(J) NATURAL GASOLINE	(K) FOREIGN RELATIONS	NATIONAL COORDINATOR	COMPLIANCE DIRECTOR
AXTELL J. BYLES CHAIRMAN	WIRT FRANKLIN CHAIRMAN	F. R. COATES CHAIRMAN	C. E. ARNOTT CHAIRMAN	RALPH T. ZOOK CHAIRMAN	H. H. ANDERSON CHAIRMAN	LOUIS TITUS CHAIRMAN	A. E. WATTS CHAIRMAN	H. M. DAWES CHAIRMAN	CHARLES F. ROESER CHAIRMAN	CHAIRMAN	HOWARD BENNETTE	RUSSELL B. BROWN

DISTRICT No. 1
REGIONAL COMMITTEE
NORTH ATLANTIC STATES
H. R. GALLAGHER
GENERAL CHAIRMAN
NEW YORK, N.Y.

PRODUCTION
P. H CURRY, CHMN.
PITTSBURGH, PA.

REFINING
W.S.S. RODGERS, CHMN.
NEW YORK, N.Y.

MARKETING
W.V. HARTMANN, CHMN.
PITTSBURGH, PA.

TRANSPORTATION
J. HOWARD PEW, CHMN.
PHILADELPHIA, PA.

NATURAL GASOLINE
H. R. GALLAGHER, CHMN.
NEW YORK, N. Y.

LABOR
F. S. FALES, CHMN.
NEW YORK, N. Y.

STATE COMMITTEES

DISTRICT No. 2
REGIONAL COMMITTEE
SOUTHEASTERN STATES
W. E. SMITH
GENERAL CHAIRMAN
LOUISVILLE, KENTUCKY

PRODUCTION
C. R. MINOR, CHMN.
SHREVEPORT, LA.

REFINING
T. H. BARTON, CHMN.
EL DORADO, ARK.

MARKETING
WILEY L. MOORE, CHMN.
ATLANTA, GA.

TRANSPORTATION
J. R. PARTEN, CHMN.
SHREVEPORT, LA.

NATURAL GASOLINE
W. E. SMITH, CHMN.
LOUISVILLE, KY.

LABOR

STATE COMMITTEES

DISTRICT No. 3
REGIONAL COMMITTEE
CENTRAL STATES
E. J. BULLOCK
GENERAL CHAIRMAN
CHICAGO, ILL.

PRODUCTION
O. D. DONNELL, CHMN.
FINDLAY, OHIO

REFINING
PAUL BLAZER, CHMN.
ASHLAND, KY.

MARKETING
A.G. MAGUIRE, CHMN.
MILWAUKEE, WIS.

TRANSPORTATION
SHELDON CLARK, CHMN.
CHICAGO, ILL.

NATURAL GASOLINE
E. J. BULLOCK, CHMN.
CHICAGO, ILL.

LABOR
H. T. ASHTON, CHMN.
ST. LOUIS, MO.

STATE COMMITTEES

DISTRICT No. 4
REGIONAL COMMITTEE
SOUTHWESTERN STATES
JAMES D. COLLETT
GENERAL CHAIRMAN
FORT-WORTH, TEX.

PRODUCTION
STATE CHAIRMEN
TEXAS, L.E. BARROW, FORT WORTH
KANSAS, TOM JOHNSON, WICHITA
OKLAHOMA, J.P. BARBY, TULSA
NEW MEXICO, C.J. BEXTER, ARTESIA

REFINING
H.C. WIESS, CHMN.
HOUSTON, TEX.

MARKETING
PAT. M. MISKELL, CHMN.
TULSA, OKLA.

TRANSPORTATION
BURT E. HULL, CHMN.
HOUSTON, TEX.

NATURAL GASOLINE
JAMES D. COLLETT
FORT WORTH, TEX.

LABOR

STATE COMMITTEES

DISTRICT No. 5
REGIONAL COMMITTEE
ROCKY MOUNTAIN STATES
W.H. FERGUSON
GENERAL CHAIRMAN
DENVER, COLO.

PRODUCTION
C.B. RICHARDSON, CHMN.
CASPER, WYO.

REFINING
T. A. DINES, CHMN.
DENVER, COLO.

MARKETING
F.C. CRAMER, CHMN.
DENVER, COLO.

TRANSPORTATION
JOHN McFADYEN, CHMN.
DENVER, COLO.

NATURAL GASOLINE
W. H. FERGUSON, CHMN.
DENVER, COLO.

LABOR
H.C. BRETSCHNEIDER, CHMN.
DENVER, COLO.

STATE COMMITTEES

DISTRICT No. 6
REGIONAL COMMITTEE
PACIFIC STATES
L.P. ST. CLAIR
GENERAL CHAIRMAN
LOS ANGELES, CAL.

PRODUCTION
J. A. BROWN, CHMN.
LOS ANGELES, CAL.

REFINING
C. E. OLMSTEAD, CHMN.
LOS ANGELES, CAL.

MARKETING
G. LEIGH JONES, CHMN.
SAN FRANCISCO, CAL.

TRANSPORTATION
L. B. JURS, CHMN.
SAN FRANCISCO, CAL.

NATURAL GASOLINE
L.P. ST. CLAIR, CHMN.
LOS ANGELES, CAL.

LABOR
A.E. WEIL, CHMN.
LOS ANGELES, CAL.

STATE COMMITTEES

3321

STATISTICAL DEPARTMENT - PLANNING & COORDINATION COMMITTEE

5480 **DEFENSE EXHIBIT NO. 828.**

Planning and Coordination Committee
Washington, D. C.

May 24, 1934.

Mr. C. M. Boggs, Chairman,
Regional District #4,
Arkansas City, Kansas.

Dear Mr. Boggs,

Section 2 of Article 4 of the Petroleum Code of Fair Competition authorizes the Planning and Coordination Committee to designate an agency in any or all of the refining districts for the purpose of making allocations of individual production quotas to each refinery within the district.

Under this authority the committee has voted to name the following agency for that purpose and you are hereby notified of these appointments:

Mr. C. W. Boggs
Walter Miller
E. C. Marshall,
L. B. Simms
H. W. Camp

We earnestly hope that the men appointed will see fit to accept this responsibility so that we may be confident that individual quotas to refineries within your district may be allocated in an equitable manner. The work done by this agency will have a vital effect upon the success of the stabilization effort which is being made in connection with refinery operations.

Cordially,

Amos L. Beaty,
Chairman. Planning and Coordination Committee.

5481 DEFENSE EXHIBIT NO. 829.

For Identification.

(Certified by the Department of the Interior to be copy of an order dated October 16, 1933, signed by Harold L. Ickes, together with the document attached thereto as Appendix A.)

5482

Order
Under
Code of Fair Competition
For the Petroleum Industry as
Approved by the President

Whereas, evidence submitted by the Planning and Coordination Committee appointed under the Code of Fair Competition for the Petroleum Industry indicates the present existence of unfair competitive practices in the petroleum industry leading to constant and recurring price wars and price cutting and making imminent the danger of the further spread of such competitive abuses, I find and determine that these competitive abuses have created an emergency which threatens the stability of the interstate market for petroleum and the products thereof; that they have obstructed, burdened, or interfered with interstate commerce in petroleum and its products and threaten to continue to obstruct, burden, or interfere with such commerce, and that their continuance and further spread will make it impossible to fulfill the purposes of the National Industrial Recovery Act and the Code of Fair Competition for the Petroleum Industry as expressed in the declaration of policy of said Act and the Preamble of said Code.

Now, therefore, pursuant to Title I of the National Industrial Recovery Act (Public No. 67, 73rd Congress) and the Code of Fair Competition for the Petroleum Industry, approved August 19, 1933, and modified September 13, 1933, under said Act, and the President's Order of August
5483 28, 1933, issued under said act and said code, it is hereby declared to be an act of unfair competition in violation of the said Act and Code, for any producer, wholesaler, jobber, refiner, distributor, retailer or others in any wise dealing in petroleum and the products thereof on or after December 1, 1933, to sell or otherwise dispose of, or to buy or otherwise acquire any petroleum or the products thereof at a price less than the applicable price

set forth in the schedule of prices proposed by the Planning and Coordination Committee appointed under the Code of Fair Competition for the Petroleum Industry, under date of September 25, 1933, a certified copy of which, marked Appendix A, is attached to and made a part of this order; Provided, However, that the said schedule of prices may be modified or amended after the submission of findings based upon such hearings and investigations as the Petroleum Administrative Board is hereinafter authorized and directed to conduct.

Any person, natural or artificial, having objection to the minimum prices provided for in the attached schedule may file with the Petroleum Administrative Board, and should so file at once a full and complete statement in writing, verified as to facts by affidavit, setting forth such objection and the facts upon which the objection is based. All such objection will be considered at hearings which the said Board is hereby authorized and directed to conduct, under rules and regulations to be prescribed by it, beginning October 30, 1933. No person will be heard who has not filed such written objection and statement on or before November 15, 1933. The said Board is authorized and directed to group cases that it may deem to be similar or present similar questions of fact, and it is hereby further authorized and empowered to collect and empowered to collect and obtain such other information and reports as it may deem necessary to carry out the provisions and purposes of the aforesaid Code of Fair Competition.

5484

Approved and promulgated this 16th day of October, 1933.

Harold L. Ickes
Administrator of the Code of Fair Competition for the Petroleum Industry, and Secretary of the Interior.

5485 **Appendix A**

Copy

732 Shoreham Building,
Washington, D. C.,
September 25, 1933.

Honorable Harold L. Ickes,
Oil Administrator,
Washington, D. C.

Dear Sir:

In accordance with the request of Mr. Myers, I have today handed to him the suggested schedule of minimum prices as follows:

(1) Schedule covering crude oil prices throughout the fields of the United States;

(2) Schedule covering prices of refined products throughout the United States;

(3) Minimum differential on products generally;

(4) Minimum differential on refined products for the States of Washington, Oregon, Idaho, Utah, Nevada, California, Arizona, New Mexico, Alaska, and Hawaiian Islands;

(5) Specific recommendation on differential on refined products for the States in the Rocky Mountain District named.

Yours very sincerely,
(S) R. B. Brown,
Secretary, Planning and Coordination Committee.

RBB:emh

5486 "[Price schedules are included only to the extent that they relate to the territory covered by the indictment.]"

5487 (Add to Minutes for Friday, Sept. 8.)

The Planning and Coordination Committee adopted Friday afternoon, September 8, 1933, the following report submitted by Mr. Ralph Zook as a suggested basis for prices of crude oil throughout the United States:

Oklahoma, Kansas, North and North Central Texas, Central Texas (Mexia, Wortham, Corsicana Light and Panola County and Fisher and Jones Counties, Texas)

Below 25°	.87
25-25.9	.89
26-26.9	.91
27-27.9	.93
28-28.9	.95
29-29.9	.97
30-30.9	.99
31-31.9	1.01
32-32.9	1.03
33-33.9	1.05
34-34.9	1.07
35-35.9	1.09
36-36.9	1.11
37-37.9	1.13
38-38.9	1.15
39-39.9	1.17
40 and above	1.19
East Texas	$1.17

5488 Minimum Prices for Petroleum Products

On the basis of $1.11 per barrel for 36 gravity, Mid-Continent crude oil, the following minimum prices for various products will be established for various districts, as set forth below.

In respect to gasoline, differentials shall be established for various Octane grades, as follows:

60-64.9	Octane equals	X	
65-70	Octane equals	X plus	.005 per gallon
50-59.9	Octane equals	X minus	.005 per gallon
Below 50	Octane equals	X minus	.01 per gallon

(Octane ratings based on A. S. T. M., D 357-33 T rating).

Mid-Continent Area

60-64.9	Octane Gasoline	6½ cents per gal.
42-44	Gravity W.W. Kerosene	4¾ cents per gal.
41-43	Gravity W.W. Kerosene	4½ cents per gal.
38-40	Gravity Furnace distillate Light Straw Color	3½ cents per gal.
32-36	Gravity Zero Gas Oil	3 cents per gal.
14-18	Gravity Fuel Oil	66 cents per gal.
18-22	Gravity Fuel Oil	71 cents per gal.
22-26	Gravity Fuel Oil	73½ cents per gal.

The Mid-Continent area, as the term is used herein, is described as the States of Louisiana, Texas, Oklahoma, Kansas, and Arkansas, with the exceptions only of tidewater refineries located on the Gulf Coast of Louisiana and Texas.

For shipment to all destinations within the following States, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Iowa, Missouri, Illinois, Wisconsin, Michigan and Indiana, the above minimum prices, plus full Group 3 rate of rail freight, shall apply irrespective of point of origin.

At refineries in the St. Louis and Chicago sectors, the minimums specified above shall not apply to shipments of fuel oils of below 14 Gravity.

5489 For the purpose of establishing minimum differentials for the test period on gasoline tank car prices laid down at destination and the net price to the consumer at retail outlets, the following shall apply:

On gasoline within the octane range of below 50 to 59.9, inclusive, the total differential shall be not less than 5½ cents per gallon, of which 3 cents per gallon shall be the minimum allowance to the retail dealer;

On gasolines within the octane range of 60 to 70, inclusive, the total differential shall be not less than 6½ cents per gallon, of which 4 cents per gallon shall be the minimum allowance to the retail dealer.

These minimum differentials shall apply to all sales to consumers at retail outlets.

5490 **DEFENSE EXHIBIT NO. 830.**

For Identification.

(Certified by the Department of the Interior to be copy of an order dated January 31, 1934, signed by Harold L. Ickes.)

5491

Order
Under the
Code of Fair Competition
for the
Petroleum Industry
as Approved by the President
August 19, 1934.

Whereas, the Planning and Coordination Committee, appointed under the Code of Fair Competition for the Petroleum Industry has submitted to me on behalf of the industry certain agreements designed to stabilize the wholesale and retail price structure of petroleum and its products; and

Whereas, I have approved said agreements subject to certain modifications necessary to protect the interests of the independent operator within the industry, and of the consuming public, and it appearing that the operation of these agreements will serve the same purposes and achieve the same ends as those originally intended by the schedule of minimum prices for petroleum and its products recommended to me by the said Committee, and effective February 1, 1934 under my order of October 16, 1933 as amended by my orders of November 30, 1933 and December 30, 1933, respectively;

Now, Therefore, pursuant to Title I of the National Industrial Recovery Act, (Public No. 67—73d Congress) and the Code of Fair Competition for the Petroleum In-
5492 dustry, approved August 19, 1933 and modified September 13, 1933, and the President's Order of August 28, 1933, issued under said Act and said Code, my said Order of October 16, 1933, as amended by my Orders of November 30, 1933 and December 30, 1933 respectively, is hereby revoked, and the minimum price schedules attached to my said Order of October 16, 1933 as Appendix "A" shall have no force and effect.

Approved and Promulgated this 31st day of Jan'y, 1934.

Harold L. Ickes,
Administrator of the Code of Fair Competition for the Petroleum Industry and Secretary of the Interior.

5493 **DEFENSE EXHIBIT NO. 831.**
For Identification.

(Certified by the Department of the Interior to be copy of an order dated January 19, 1934, signed by Harold L. Ickes.)

5494 **Order**
Under the
Code of Fair Competition for the Petroleum Industry
And The
National Industrial Recovery Act

Whereas, certain members of the petroleum industry, after a prolonged and careful consideration of the needs of the aforesaid industry, have entered into an agreement to aid in the stabilization of the industry by purchasing, holding and liquidating distress gasoline, and have submitted this agreement to me under the Code of Fair Competition for the Petroleum Industry and under the National Industrial Recovery Act; and

Whereas, this agreement has been approved and recommended to me by the Planning and Coordination Committee under the Code of Fair Competition for the Petroleum Industry; and

Whereas, suitable public notice of the aforesaid agreement has been given pursuant to Section 5, Article I of the Code of Fair Competition for the Petroleum Industry, approved by the President August 19, 1933; and

Whereas, I have carefully and impartially considered this agreement and have found and determined that it is not designed to promote monopoly or to eliminate or oppress smaller enterprises, but will serve to effectuate the purposes of the National Industrial Recovery Act,
5495 and the Code of Fair Competition for the Petroleum Industry by eliminating wasteful and unfair competitive abuses and thereby conserving an essential natural resource;

Now, Therefore, pursuant to the authority vested in me by the provisions of the National Industrial Recovery Act, the Code of Fair Competition for the Petroleum Industry, and the President's order of August 28, 1933, I hereby order that this agreement be and it is hereby approved.

Approved and promulgated this 19th day of January, 1934.

Harold L. Ickes
Administrator of the Code of Fair Competition for the Petroleum Industry
and
Secretary of the Interior.

II.

Whereas, I have this day approved a Purchase Agreement submitted to me under Title I of the National Industrial Recovery Act and under the Code of Fair Competition for the Petroleum Industry, approved pursuant to such Act; and

Whereas, Subsection (b) of Section 10 of Title I of said Act provides that "The President may, from time to time, cancel or modify any • • • approval issued under this title";

Now, Therefore, pursuant to the authority vested in me by the President's order of August 28, 1933, Title I of the National Industrial Recovery Act (Public No. 67, 73d
5496 Congress) and, in particular, subsection (a) of Section 4, subsection (b) of Section 10 and Section 5, thereof, and the Code of Fair Competition for the Petroleum Industry and, in particular, subsection (a) of Section 4, and Sections 4 and 5 of Article I, thereof, my approval of the said Purchase Agreement is hereby modified so as to provide the following:

1. That the Administrator may at any time confer with the Planning and Coordination Committee and may redetermine in the light of existing conditions the proper objective to be attained with respect to the total gasoline stocks in the United States on July 1, 1934.

2. That the National Petroleum Agency shall, under rules and regulations established by its Board of Governors and satisfactory to the Administrator, provide for the suitable liquidation of gasoline stocks purchased and held by the said agency, to the end that all parties within the industry may have an equal opportunity to obtain gasoline at fair market prices.

3. That the Administrator or his duly authorized representatives may attend the meetings of the Board of Governors and/or the Executive Committee and shall have free access to the books and records of the agency. The Administrator shall be given due notice of any and all meetings of the Board of Governors and/or the Executive Committee.

5497 Approved and promulgated this 19th day of January, 1934.

Harold L. Ickes
Administrator of the Code of Fair Competition for the Petroleum Industry
and
Secretary of the Interior.

5498 DEFENSE EXHIBIT NO. 832.

For Identification

(Certified by the Department of the Interior to be copy of letter dated December 8, 1933 signed—Wirt Franklin, Chairman, and addressed to Harold L. Ickes, together with the enclosure of two agreements, each dated December 7, 1933.)

5499 Planning and Coordination Committee
Under the Code
For the Petroleum Industry
Investment Building
Washington, D. C.

December 8, 1933.

Honorable Harold L. Ickes,
Secretary of the Interior and Oil Administrator,
Department of the Interior,
Washington, D. C.

My dear Mr. Secretary:

The committee, representing varying viewpoints regarding administration of the petroleum industry, has reached an accord embodied in two separate agreements which have been signed by companies representing a very substantial interest in the oil industry, and which are herewith submitted in the hope that they will receive the approval of the President to make them valid, as provided by the National Industrial Recovery Act and in accordance with the Code of Fair Competition for the Petroleum Industry. These agreements have received the approval of the Planning and Coordination Committee; are the result of long and earnest conferences, and offer, we believe, the modus vivendi under which both the industry and the public interest will be satisfactorily served.

Thanks to the vigorous and effective exercise of the important powers vested in yourself as Petroleum Administrator, conditions have so greatly improved in recent months that we have felt it wise to limit recommendations, as covered in these two agreements, to matters on which there is substantial unanimity. While convinced that the period of emergency, so far as concerns this industry, is not past, and that many things are still necessary to be accomplished to restore the industry to normal operating

conditions, we are hopeful that a 90-day trial of operations under the Code, as supplemented by these two agreements, may bring favorable results to the oil industry and assist in the general task of national recovery. The closest possible adherence to tested and accepted formulas of business conduct, and avoidance of such as might breed controversy, has been the aim of the committee representing the varying viewpoints in reaching the two agreements submitted. Concessions have been made from many directions and by widely differing groups in order to reach an agreement, and the plan embodied in the two agreements has been accepted in the interest of harmony.

5500 Through special taxes this industry has produced a volume of public revenue many times beyond that of any other business. The industry's troubles have, in fact, been largely attributable to its fertility as a field for the tax harvester. Its export trade has repeatedly turned the country's international trade balance from adverse to favorable.

A major industry thus vigorous, self-reliant and individualistic, ought, we feel, to be preserved in all the vitality and independence that have marked it from the beginning. We believe your acceptance of the plan here proposed will insure that outcome.

In conclusion, Mr. Secretary, permit all the elements, groups and viewpoints among us to unite in appreciation of your consideration, fairness and firmness. The patience you have so generously extended to us has inspired us to patience among ourselves on many occasions when there was sore need for that particular virtue.

Respectfully submitted,

Wirt Franklin

Wirt Franklin,

Chairman of the Joint Committee representing the Planning and Coordination Committee, and the Group of Major Companies Opposed to Fixing of Minimum Prices.

WF:emh
Enclosures.

5501 **An Agreement**

Made and entered into on the 7th day of December, 1933, among the signatory companies engaged in the petroleum industry in the United States, to which agreement others may become parties in a manner stated.

Under a Code of Fair Competition for the Petroleum Industry, approved by the President of the United States pursuant to the National Industrial Recovery Act, and under provisions of the Act itself, efforts are being made to remedy undesirable conditions existing in this industry and to bring about stabilization. The Federal Agency, the Petroleum Administrator under said Code, is issuing orders for the control of crude oil production and gasoline stocks, and the Planning and Coordination Committee under said Code has submitted for the approval of the Administrator the following definite objectives for the industry:

(a) Total crude oil stocks in the United States on July 1, 1934, shall show no increase over December 1, 1933, and the decrease, if any, shall not exceed 10,000,000 barrels.

(b) Total gasoline stocks in the United States on July 1, 1934, shall not exceed 46,000,000 barrels, exclusive of natural gasoline.

This contemplates that orders and allocations, touching crude oil production, imports, withdrawals from and additions to storage, and gasoline manufacture shall be
5502 such as to balance supply with consumer demand for petroleum products and to prevent the accumulation of supplies of crude oil or petroleum products in excess of desirable economic working levels.

Therefore, and for mutual and valuable considerations, the parties hereto do now and hereby, among themselves and each with each and all of the others, make and enter into this agreement.

1. The parties hereto voluntarily associate themselves in a group to be known as the National Petroleum Agency. All members of this association shall participate in proportion to their interests as fixed by their respective subscriptions hereto, the amounts set opposite their respective names. Membership in the association shall be open to all units of the Petroleum Industry until January 1, 1934, and the participation of those desiring membership shall be in the same proportion to their industrial activity as that of the original signatories hereto, provided that the board of governors of the association shall be the sole judges of the

right to and the percentage of all other than original signatory membership and participation. The board of governors shall have the power to adjust the participations of the original signatories to such extent as may be proper to admit members later granted participation. Pending such adjustment, the original signatories hereto agree to pay the amounts set opposite their names for the use of the association.

5503 2. The control and management of this association shall be in a board of governors consisting of one governor nominated by each member, and such nominations may be changed by the member from time to time. The board of governors shall, at its first meeting, elect from its membership an executive committee of five (5) persons, and such executive committee shall have all the power and authority of the board of governors (when the latter is not in session), subject to such policies, rules and regulations as may from time to time be fixed by the board of governors. The board shall fix the term of office and dates and method of election of executive committeemen. The board may elect a president, and one or more vice-presidents, a secretary, a treasurer, and a manager, and such other officers and assistants as it may deem advisable. It shall have the power to define the duties and fix the compensation of all such officers.

The board of governors shall from time to time prescribe policies, rules and regulations for the government of the association and the conduct of its business. It shall fix the dates and places of meetings, prescribe the notice to be given, define quorums for the transaction of business and, subject to the provisions of this agreement, its entire method of operation, including the location of its office and branch offices.

3. Each member of the association shall be entitled to one vote, to be cast by its representative on the board
5504 of governors on all questions and matters coming before the board.

4. This association shall continue until June 15, 1935, unless previously dissolved. It may be dissolved at any time after July 1, 1934, by a majority vote of all members of the board of governors representing members of the association having in the aggregate more than fifty (50) per cent in amount of participation in the association.

5. The amounts subscribed by the signatories hereto shall be paid at such time and place as may be called by the board of governors and within ten days after receipt

of notice of the call. No member shall be liable for any amount beyond its subscription.

6. The purpose of this association is to purchase, hold and, in an orderly way, dispose of surplus gasoline which threatens the stability of the oil price structure in an effort to bring the prices of gasoline into proper relationship with the present price of crude oil and to maintain and support such relationship. For the purposes of this agreement the proper relationship between midcontinent crude of 36°-36.9 A. P. I. gravity and U. S. motor gasoline of 60-64 octane rating, f. o. b Group 3 in tank car lots, is that stated in section 6 of Article III of the aforesaid Code. The board of governors of the association may determine proper relationship in all cases not covered by the Code. And the board of governors after July 1, 1934, may determine whether and to what extent purchases of gasoline can
5505 be made to establish, maintain and support proper relationships of gasoline prices to crude-oil prices higher than those now prevailing: Provided, however, that no such purchases as those last mentioned shall be made while the association has on hand, not disposed of, any substantial quantity of gasoline previously purchased for the purpose of bringing the prices of gasoline into proper relationship with the present prices of crude oil and maintaining and supporting such relationship: Provided further, that at any time after July 1, 1934, by a majority vote of the entire board of governors or the vote of nine governors representing members of the association having in the aggregate more than 50 per cent in amount of participation in the association, purchases may be suspended entirely until they are again authorized by a majority vote of the entire board of governors and the vote of nine governors representing such majority interest in amount.

7. The association shall not purchase gasoline from its members nor shall it borrow money.

8. The signatories hereto and those who shall later become members of the association bind themselves hereby:

(a) To refrain from purchasing illegally produced oil or the products thereof from producers or refiners knowing or having good reason to believe the oil was illegally produced;

(b) To join the Planning and Coordination Com-
5506 mittee in supporting the Federal Agency in discharging the duty imposed upon it by the Code of Fair Competition for the Petroleum Industry of making and enforcing crude oil allocations and controlling the supply of crude oil and gasoline and gasoline inventories;

(c) To further aid the said Planning and Coordination Committee in working toward a stabilization of markets by adequate action designed to prevent improper and injurious marketing practices;

(d) To actively assist said Planning and Coordination Committee and the National Recovery Administration in the continuing effort to preserve the right of the Petroleum Industry to self-government in accordance with the spirit of the National Industrial Recovery Act and the Petroleum Code adopted pursuant to said Act;

(e) To assist in the effectuation of plans and rulings of said Committee approved by the Petroleum Administrator, for the development of new oil pools and the allocation by the proper authorities of production from such pools;

(f) To cooperate in obtaining and allocating, under the supervision of said Committee, supplies of crude oil for refiners without adequate supplies to meet their reasonable and proper requirements; and, upon request, to assist said Committee by placing at its disposal one (1) per cent of their respective current crude production and purchases for allocation among other refiners, pur-
5507 suant to Section 3 of Article IV of the Code.

9. Obligations under this agreement shall apply not only to members of the association, but members shall extend and enforce these obligations so as to include subsidiary and controlled companies and other agencies through which members operate, but no member shall be liable for the obligations of other members or for the obligations of the association.

10. The provisions of this agreement shall bind the successors, assigns and legal representatives of members, and if any member shall be merged or consolidated with another member the member continuing the business shall succeed to and take over the benefits and burdens of the member so merged or consolidated.

11. Nothing in this agreement contained shall be construed to prevent any member of the association from petitioning the Planning and Coordination Committee of the Petroleum Industry to advocate the establishment of minimum prices, or from petitioning the Petroleum Administrator or the President of the United States to establish minimum prices after 90 days from the date hereof, or from doing so in the meantime if the prices of crude oil should fall below their present level or be reduced by any member of this association.

12. This agreement shall become effective when approved by the President of the United States or a
5508 Federal Agency duly authorized by him, and the President may withdraw such approval and terminate this agreement at any time upon finding that it is contrary to the public interest.

In Witness Whereof this Agreement is signed on the day and year first above written.

Standard Oil Co. of California by K. R. Kingsbury, Pres.	$ 560,000.
The Atlantic Refining Co. W. M. Irwin, Pres.	304,000.
Amerada Petroleum Corp. A. Jacobson by W. J. Farish	75,000
Barnsdall Corp. E. B. Reeser, Prest.	74,000
Continental Oil Company James J. Cosgrove, G. Counsel	$362,000.00
Simms Petroleum Company by Amos L. Beaty	$61,000.00
Sinclair Refining Company by H. R. Gallagher	$528,000.00
Phillips Petroleum Co. By H. A. Trower	281,000
Standard Oil Company of New Jersey F. W. Abrams President by Edwin S. Hall	$1,124,000.00
The Ohio Oil Co. F. A. Bellstrue, Treas.	$344,000.00
Standard Oil Co. Ky. By W. E. Smith	87,000.00
Standard Oil Co. (Indiana) By E. G. Seubert	865,000.00
5509 Plymouth Oil Co. J. G. Farquhar, Prest. by E. B. Reeser	$ 92,000.00
Sun Oil Co. J. W. Pew, Jr. Vice-Pres.	255,000.00

Pure Oil Co. Henry M. Dawes, Pres.	274,000.00
Shell Union Oil Corporation Henry Cole Chairman Exec. Committee	660,000.00
The Texas Company H. W. Dodge	730,000.00
The Standard Oil Company by W. T. Holliday President	139,000.00
Skelly Oil Company by L. L. Stephens, per Authority C. B. Ames Telegram	109,000.00
Gulf Refining Co. by W. V. Hartmann, Vice-Prest.	636,000.00
Mid-Continent Petroleum Corp by W. C. Teagle as per telegram—W. J. Farish	92,000.00
South Penn Oil Co. By W. C. Teagle as per telegram—W. J. Farish	125,000.00
Socony-Vacuum C. E. Arnott President	876,000.00
Cities Service Oil Co. By Amos L. Beaty for F. R. Coates	297,000.00
The Vickers Petroleum Co. of Delaware By Wirt Franklin, per authority of telegram of Dec. 28, 1933.	11,050.00

5510 **An Agreement**

Made and entered into on the 7th day of December, 1933, among the signatory companies engaged in the petroleum industry in the United States, to which agreement others may become parties in a manner stated.

For mutual and valuable considerations and pursuant to Section 4(a) of Title I of the National Industrial Recovery Act, the parties hereto do now and hereby among themselves and each with each and all of the others make and enter into this agreement in respect to the marketing of gasoline and other motor fuels, and the same shall remain in force until June 15, 1935.

1. The parties hereto are obligated to allow and maintain such marketing margins for distributors, jobbers, and/or wholesalers as shall be determined from time to time in each of the six regions established under the Code of Fair Competition for the Petroleum Industry by agreement of 75% in number of the refiners who may be parties hereto and who sell any of their gasoline and/or other motor fuel to distributors, jobbers and/or wholesalers, located in the particular region, and when the marketing margin is so determined it shall bind all parties hereto. In no event shall the minimum gross marketing margin after such determination be less than 1½ times the gross margin allowed under this plan to Undivided Resale Accounts on gasoline and/or other motor fuels of 60 Octane and
5511 above, and not more than 1½ times the gross margin allowed under this plan to Undivided Resale Accounts on gasoline and/or other motor fuels of 59.9 Octane and below. The marketing margin or commission for bulk station (wholesale) commission agents who own bulk station (wholesale) and/or service station facilities shall be such an amount as, when expressed in cents per gallon on average monthly sales and added to the undivided dealer margin, shall not exceed the gross marketing margin determined for distributors, jobbers or wholesalers. Commissions include all fixed or flat rentals paid by refiner on retail and/or bulk plant facilities owned by commission agent.

Retail dealers shall have a gross margin on gasoline and/or other motor fuels of 60 octane and above, of 3½¢ per gallon for the class of accounts known as Divided Resale Accounts, and 4¢ per gallon for the class of accounts known as Undivided Resale Accounts. On gasoline and/or other

motor fuels of 59.9 Octane and below, the retail dealer margin shall be 2½¢ per gallon for Divided Resale Accounts, and 3¢ per gallon for Undivided Resale Accounts.

The General Chairman of each of the six Regional Committees shall appoint a committee of three to be known as the Stabilization Committee. The Committee shall consist of one representative from each of two major integrated companies and one representative from a smaller integrated company, all of which companies shall have territorial and not merely local interest. The representa-
5512 tive of one major integrated company shall be designated as Chairman of the Stabilization Committee and be subject to removal from the Committee at any time on 24 hours' notice from the General Chairman of the Regional Committee. The other two members of the Committee shall be appointed for a period of three months each and not subject to removal. Upon termination of the foregoing period, these two members must be replaced by representation from similar class of companies. A majority vote is necessary to determine a particular action. Any party to this agreement, desiring to meet local competition, before meeting such competition shall place all the facts before the Stabilization Committee for determination as to the necessity for meeting such competition and in case no decision is arrived at by said Stabilization Committee within two legal business days, the party so desiring to meet competition shall have authority to do so by complying with the provisions of Article V, Rule 4 of the Code of Fair Competition for the Petroleum Industry. The members of the Stabilization Committee shall have authority to attempt to negotiate restoration of markets that have been reduced below normal.

If it shall be found that changes in the margins dealt with in this section are necessary or desirable at any time in any locality, such changes may be made by agreement of 75% in number of the refiners, parties to this agreement, who sell any of their gasoline and/or other motor fuel to distributors, jobbers, wholesalers, and/or dealers in
5513 that particular locality, subject, however, to the approval of the Planning and Coordination Committee and the Petroleum Administrator. And with such approval the method of adjustment provided for in the last preceding paragraph of this section may be changed for particular localities through the organization of local stabilization committees or otherwise as may be determined by the Plan-

ning and Coordination Committee with the approval of the Petroleum Administrator; Provided, however, that the parties hereto shall be required to observe as minima the margins fixed and provided for in paragraphs 1 and 2 of this section.

General or established supply arrangements covering gasoline and/or other motor fuels between refiners and/or substantial trade-branded companies parties to this agreement who resell in ocean vessels, barges, tank cars and/or bulk and retail stations are not limited to the margins for distributors, jobbers and/or wholesalers.

2. Standard forms of contract applying to all transactions for the sale of gasoline and/or other motor fuels shall be prepared by the Planning and Coordination Committee with the approval of the Petroleum Administrator, and the parties to this agreement shall use only such forms of contract in such transactions. Such contracts shall contain provisions controlling prices of products to ultimate consumer at retail in accordance with Article V, rule 26, of the Code of Fair Competition for the Petroleum
5514 Industry, and extending the provisions of said rule to gasoline and/or other motor fuels either branded or unbranded.

Existing contracts for the sale of gasoline and/or other motor fuels with cancellation clauses must be cancelled at the earliest date cancellable, and renewed, if at all, upon the standard form of contract. Where it is claimed that contracts can not be cancelled, they must be immediately submitted for inspection to an impartial standing committee of three, appointed for the purpose by the chairman for marketing in the State, and their decision shall be binding on the question of whether the contract is cancellable and when it can be cancelled.

3. Existing top price contracts for the sale of gasoline and/or other motor fuels, which have a cancellation clause, must be cancelled at the earliest date on which they can be cancelled, and if renewed, must be written on the standard form of contract without top price provisions. Where it is claimed that contracts can not be cancelled they must be immediately submitted for inspection to a committe of three, as provided for in the last preceding section, and their decision shall be binding on the question of whether the contract is cancellable and when it can be cancelled.

4. In case of the violation of any provision of this Agreement and/or of the standard form of contract and/or of the Code of Fair Competition for the Petroleum Indus-

try, as determined by a committee as provided for in
5515 Sections 2 and 3 hereof of the State wherein such violation occurs, the supplier shall be notified by the Committee to suspend deliveries of gasoline and/or other motor fuel to the offending distributor, jobber, wholesaler, or retail dealer, for such period as the Committee shall determine, and no party to this agreement shall furnish supplies to the offender during the period of suspension.

5. The Planning and Coordination Committee, with the approval of the Petroleum Administrator, may except and exclude particular areas from the operation of this agreement, or any portion thereof, if and to the extent that the provisions hereof may conflict with other agreements approved by the Planning and Coordination Committee and the Petroleum Administrator.

6. Obligations under this agreement shall apply, not only to the parties to the agreement, but the parties hereto shall extend and enforce these obligations so as to include their subsidiary and controlled companies and other agencies through which they operate. By controlled companies is meant those in which more than 50 per cent of the voting stock is owned or controlled.

7. The provisions of this agreement shall bind the successors, assigns, and legal representatives of the parties, and if any party hereto shall be merged or consolidated with another party hereto, the party continuing the business shall succeed to and take over the benefits and burdens of the party so merged or consolidated.

5516 8. This agreement shall not become effective until approved by the President of the United States or a Federal Agency duly authorized by him, and the President may withdraw such approval and terminate this agreement at any time upon finding that it is contrary to the public interest.

9. Even after this agreement has received the approval of the President or the Federal Agency it shall remain in abeyance until adopted by such percentage of the industry as may be found necessary to its practical operation, this to be determined by the Planning and Coordination Committee, with the approval of the Petroleum Administrator. In no event shall it go into effect until refiners whose runs to stills in the United States during the month of November, 1933, amounted to at least 85% of the total runs to stills in the United States during said month, shall have become parties to this agreement and such fact is announced by the Petroleum Administrator.

10. This agreement may be signed in counterparts, and all counterparts taken together shall constitute the complete agreement.

In Witness Whereof the parties sign.

Socony Vacuum Corporation
C. E. Arnott
President
Sinclair Refining Company
By H. R. Gallagher
Cities Service Oil Co.
By F. R. Coates
5517 The Texas Company
H. W. Dodge
Standard Oil Company of New Jersey
F. W. Abrams
President
by Edwin S. Hall
Standard Oil Co. Kentucky
W. E. Smith,
President
Standard Oil Co. (Indiana)
By E. G. Seubert
The Atlantic Refining Co.
W. M. Irwin,
Pres.
Barnsdall Corp.
E. B. Reeser,
Prest.
Pure Oil Co.
Henry M. Dawes,
Pres.
Sun Oil Co.
J. W. Pew, Jr.,
Vice-Pres.
Continental Oil Co.
James J. Cosgrove
Phillips Petroleum Co.
H. A. Trower
Gulf Refining Co.
W. V. Hartmann
Shell Union Oil Corp.
J. A. Knabe
H. N. Greis and Bernard L. Majewski
Receivers for Deep Rock Oil Corp.
Per B. L. Majewski
The Ohio Oil Co.
F. A. Bellstrue,
Treas.

5518 DEFENSE EXHIBIT NO. 833.

For Identification

(Certified by the Department of the Interior to be copy of document on file in that Department)

Press Release consisting of letter from the Committee of Fifteen to the Secretary of the Interior dated March 29, 1933, printed at R. pp. 970-74.

5519 DEFENSE EXHIBIT NO. 834.

For Identification

5520 Administrator for the Petroleum Industry
Washington

Dec. 11, 1934.

Mr. R. G. Concanower, General Manager
Olney Oil & Refining Company
Wichita Falls, Texas.

My dear Mr. Cocanower:

I acknowledge receipt of your letter of November 21.

I appreciate the problems confronting the refiner, and welcome the opportunity to correct your impression of the efforts which have been made to remedy this situation. The prevention of "hot oil" and its products from entering interstate commerce recently achieved through the operation of the Federal Tender Board in East Texas, did not represent any sudden activity on my part, but rather the culmination of a series of efforts to obtain that result. The previous attempts to control the East Texas situation dating from July 1933 were not successful for a variety of reasons, principally, because of the original adverse decisions in the Amazon and Panama cases.

The final decision on the buying program has not been made but the program was suspended because conditions now obtaining are materially different from what they were two months ago. A modified plan has been submitted

and is under consideration by the Petroleum Administrative Board and the Department of Justice.

Concerning the November gasoline allocations, these allocations were made under the provisions of Article IV of the Petroleum Code, which, you will note, provide a definite procedure under which gasoline allocations are made to individual refineries. These individual allocations are only reviewable by me, if an appeal is taken from a particular allocation, in the manner provided by Article IV of the Code.

As I have stated, I appreciate fully the difficult position of the independent refiner, which is aggravated by depressed wholesale and retail price structures. In my
5521 address before the American Petroleum Institute at Dallas, I took the opportunity to point out to the industry that I expected current marketing abuses to be corrected promptly. Under the present provisions of the Code, my authority to deal directly with the major marketing problems is relatively limited, and the solution of these problems must rest primarily with the industry. It is my understanding that negotiations for that purpose have been undertaken, and in a number of areas an improvement has already resulted. While a more general improvement will be dependent upon the success of these efforts, together with continued effective control in East Texas, I anticipate a gradual return to more normal wholesale and retail markets, which in turn should relieve the hardship on the independent refiner.

Sincerely yours,

Harold L. Ickes
Administrator.

5522 **DEFENSE EXHIBIT NO. 835.**

(Certified by the Department of Interior to be copies of documents on file in that Department.)

Order
Under The National Industrial Recovery Act

Whereas, an application has been duly made, pursuant to the provisions of Section 3, Sub-section (a) of the Act of June 16, 1933, (Public No. 67, 73d Congress) known as the National Industrial Recovery Act, for the amendment of the Code of Fair Competition for the Petroleum Industry, approved by the President August 19, 1933, to provide for effective control of refinery operations, and

Whereas, opportunity has been accorded to all groups affected by the proposed amendment to present their views, due public notice has been given, and adequate hearings have been held thereon by the Petroleum Administrative Board, and

Whereas, I have found and determined on the basis of all available pertinent data that the proposed amendment as modified accords with the best interests of the industry and the public, if equitably and effectively administered, will tend to preserve small enterprises, to end discrimination against them, to prevent the growth of monopolistic practices, and to promote a healthy coordination of the activities of the industry and thereby further the attainment of the purposes of the aforesaid Act and Code
5523 as stated in the respective preambles thereof;

And it appearing desirable that all groups within the industry be adequately represented on the authority charged with the administration of these sections,

Now, Therefore, pursuant to the authority vested in me by the President's Order of August 28, 1933 issued under the authority of Section 2, Sub-section (a) of the National Industrial Recovery Act, and pursuant to the provisions of Article 1, Sections 2 and 3 of the Code of Fair Competition for the Petroleum Industry, Article IV and Article VII, Section 2 of the aforesaid Code are hereby stricken therefrom, and there is hereby added to the said Code in lieu thereof, the following provisions to be known as Article IV and Article VII, Section 2:

5524 **Article IV—Refining:**

Section 1. To achieve greater accuracy in balancing production and consumption of gasoline and to prevent the

injurious effect on interstate commerce of an unbalanced accumulation of inventories of gasoline in any part of the country or of surplus production and consequent distribution of gasoline in excess of market requirements, a federal agency designated by the President shall divide the country into refining districts and shall (after consultation with the Planning and Coordination Committee and such other sources of information as it may deem necessary) determine from time to time:

(1) The proper inventories of gasoline for the country as a whole and

(2) The production of gasoline in the country as a whole necessary to meet the demand therefor, with due regard to normal and seasonal fluctuation in refining operations.

The determinations so made shall constitute the operating schedule for the refining industry in the country as a whole, and same shall be published for at least twenty days before the effective date thereof.

Section 2. The Planning and Coordination Committee shall appoint a National Coordinator of refining operations, subject to the approval of the President, and may appoint a District Allocator for each district. District Allocators shall cooperate with the regional refinery committees 5525 and other committees or agencies designated by the Planning and Coordination Committee in making effective the provisions of this article. The Planning and Coordination Committee shall appoint, subject to the approval of the President, a Board of Review consisting of not to exceed ten in number, for the purpose of reviewing the findings and allocations of District Allocators, the agencies established by the refinery district committees (where no allocator is appointed), and the National Coordinator.

Section 3. The National Coordinator and the District Allocators, (or the proper agency established by the refinery district committee where no allocator is appointed), in joint session, subject to the approval of the Planning and Coordination Committee, shall determine from time to time:

(1) The proper inventories of gasoline for each district and

(2) The production of gasoline in each district necessary to meet the demand therefor, with due regard to normal and seasonal fluctuation in refining operations.

The determinations so made shall constitute the operating schedule for the refining industry in each district and

same shall be published for at least fifteen days before the effective date thereof.

(3) Within the limits of the operating schedule for the refining industry in each district as thus determined,
5526 an agency designated by the Planning and Coordination Committee and the District Allocator (when one is appointed) in joint session, shall establish fair and reasonable quotas for each refinery operating in the district. In the event of disagreement between a District Allocator and the agency designated above or in the event of the failure of such agency to act, the District Allocator shall establish such quotas subject to appeal as herein provided.

In making such allocations the agency and/or District Allocator (when one is appointed) shall take into consideration relevant features of operating and marketing conditions under rules and regulations prescribed by the Planning and Coordination Committee and approved by the Administrator. Every effort shall be made to avoid inequities which may exist in the availability of supplies of crude oil to refiners necessary to maintain either the proper ratio between inventories and gasoline and sales thereof and/or the production of gasoline authorized in the manner set forth above. No withdrawals of crude oil from storage by or in behalf of any refiner operating only in a single district shall be authorized under the terms of Article III, Section 2, hereof, and/or rules or regulations issued thereunder, unless the application has been referred for advice to said agency and District Allocator (when one is appointed) concerned.

Section 4. The National Coordinator of refining operations in the case of refiners operating refineries and/or
5527 who are maintaining gasoline inventories in more than one refining district shall adjust such operations and inventories in order that district allocations may be adjusted in such manner as equitably to meet the consolidated requirements of such refiners.

The National Coordinator and the District Allocators (or the agency established by the refinery district committee where no District Allocator is appointed) shall meet at such times and places as may be necessary to provide the necessary coordination between districts and uniform application in each district of the rules and regulations provided thereunder. Each District Allocator (or the agency established by the refinery district committee where no District Allocator is appointed) shall furnish to the National Coordinator a complete statement of the allocation made

to each refinery in the District and shall furnish such regular reports as may be required by the National Coordinator for proper performance of his duties.

No withdrawals of crude oil from storage by or on behalf of refiners operating refineries, and/or maintaining crude oil inventories in more than one refining district, shall be authorized under the terms of Article III, Section 2 hereof, and/or rule and regulation issued thereunder, unless the application has been referred for advice to the National Coordinator.

Section 5. Any person may appeal from any recommendation, allocation or decision of the District Allo-
5528 cator, Agency designated by the Planning and Coordination Committee, agency established by the refinery district committee, or the National Coordinator to the Board of Review provided for above, and the decision of the said Board of Review shall be final, subject to the right of the Planning and Coordination Committee to review such decision upon appeal, which Committee's action, either in respect to the exercise of such right or in respect to the determination made if such right be exercised, shall be subject to the approval of the Administrator.

Section 6. In order that the provisions of this article may not operate in such manner as to discriminate against small refining enterprises and in order to assist in orderly liquidation of excessive gasoline inventories, the Planning and Coordination Committee may, with the approval of the President, authorize suitable arrangements for the purchase of gasoline from non-integrated and/or semi-integrated refiners and the resale of same through orderly channels.

Section 7. Upon a determination by the Planning and Coordination Committee that an excessive supply of gasoline or an unbalanced accumulation of inventories of gasoline exists in any district, which excessive supply and/or excessive accumulation of inventories injuriously affect interstate and foreign commerce and is such that any remedy must incidentally apply in like manner to intra-state commerce, the Planning and Coordination Committee may establish fair and reasonable quotas in commerce for gaso-
line to be moved from all or any of the refineries or
5529 other sources of supply in the district. Such quotas shall be in accord with such rules and regulations as are promulgated by the Planning and Coordination Committee.

While such quotas are in effect, no person shall place

in commerce or receive in commerce (interstate, intrastate or foreign), by sale, exchange, consignment or otherwise, any gasoline in excess of the quota prescribed. Before establishing quotas for gasoline the Planning and Coordination Committee shall hold or cause to be held, hearings with respect to the establishment of such quotas and to such other matters as in the opinion of the committee may be proper, after such reasonable public notice as may be prescribed; Provided, however, that in any emergency as determined to exist by the committee, quotas may be established for a temporary period not to exceed one calendar month without previous notice or hearing, but in such event, the committee in the next subsequent period, shall adjust quotas so allocated upon the basis of due notice and hearing hereinabove prescribed so as to prevent any inequitable allocation. Any person natural or artificial, aggrieved by any quota, shall have a right of appeal to the Administrator.

This section is to be construed and may be enforced without reference to the other provisions of this article.

Section 8. The Planning and Coordination Committee may make such rules and regulations, authorize such committees, and require such reports as it may deem nec-
5530 essary to accomplish the purposes of this article.

Section 9. The word "gasoline" as used herein shall be held to include such products as may be determined from time to time by the Planning and Coordination Committee.

Section 10. In case of any appeal, the appellant shall abide by all the provisions of this article and the rules and regulations issued hereunder pending the decision of such appeal, but in case the contentions of the appellant are upheld in whole or in part, an order shall be issued which shall be retroactive to the effective date of the order appealed from.

Section 11. Failure on the part of any person to observe or comply with any provisions of this article or any valid order, rule or regulation hereunder, shall constitute a violation of the code.

Section 2. The Planning and Coordination Committee shall consist of not more than twenty-six members, three of whom (without vote) shall be representatives of the National Recovery Administration and appointed by the President, and twenty-three of whom shall be representatives of the petroleum industry appointed by the President from nominations made by the industry: Provided, that nothing herein contained shall affect any appointments heretofore made pursuant to Article VII, Section 2 of this Code as approved by the President August 19, 1933. Vacancies in the Committee shall be filled in the manner herein provided for the appointment of members. Any association, group or person in the industry may make nominations for consideration by the President in filling places on or vacancies in the Committee.

Approved and promulgated this 24th day of April, 1934.

Harold L. Ickes

Administrator of the Code of Fair Competition for the Petroleum Industry and Secretary of the Interior.

5532 **DEFENSE EXHIBIT NO. 836.**

Letterhead of
Administrator for the Petroleum Industry
Washington

January 2, 1935

Mr. J. D. Collett, Chairman,
Planning and Coordination Committee,
Investment Building,
Washington, D. C.

My dear Mr. Collett:

I have approved the decisions of December 17 on appeals 13, 14, 15, 16, 17, 19, 20, 21 and 22, relative to gasoline production during October and November, transmitted by Judge Beaty with his letter of December 17, although I do not like to pass upon such matters after the period concerned has elapsed and the action under the recommended decisions has been completed.

In those instances where the applications for the manufacture of additional gasoline have been granted, I have been advised that the amounts so granted are in addition to the determination of gasoline production made currently by the Federal Agency and that the granting of such appeals, without compensatory reductions in the operating schedules of other districts or plants, results in unauthorized production in excess of the determination made by the Federal Agency. There was a time last November when it was evident that additional gasoline should be manufactured to bring inventories to economic levels. This additional production was not included in the original determination of the Federal Agency and a supplemental determination proved necessary. The determination for January, 1935 includes, and subsequent determinations will provide, sufficient gasoline for the current demand and the necessary increases in inventories. As a consequence, such appeals as may be granted by the Planning and Coordination Committee must be made within the determination of the Federal Agency, as I do not feel that any appeals which call for the manufacture of gasoline in excess of the Federal determination should be approved.

I hope that the Planning and Coordination Committee will pay particular attention to the program of refinery operations during the first quarter of 1935, as this is the
5533 period when gasoline inventories will be increased considerably in order to provide for consumption dur-

ing the following summer period. The industry has established an objective of 65,000,000 barrels as the economic total of gasoline inventories on March 31, 1935, and I am advised by the Federal Agency that this is a reasonable figure. I feel that particular attention should be given to this matter by the Planning and Coordination Committee in order, first, that the national total of gasoline inventories may not be excessive on March 31, 1935, and, second, that there should not be an unbalanced accumulation of inventories of gasoline in any part of the country or in individual plants.

During the time when the normal operation was to reduce gasoline inventories, I feel that the industry cooperated in a splendid manner to achieve its objective and similar effective cooperation is necessary during the present period, when gasoline stocks are being increased as a normal operation, in order that the gasoline which should, at this time of the year, be placed in storage to meet consumer demand during the summer season, may not be disposed of prematurely in such a manner as to affect injuriously the interstate commerce in gasoline. The determination made currently by the Federal Agency divides the required production into that necessary to balance consumer demand during the period and that necessary for additions to gasoline inventories. I feel that these two items should be handled separately by the Planning and Coordination Committee, the National Coordinator, and the District Allocators or allocating agencies, and that the allocations to districts and plants should be made in such manner as to distinguish the gasoline manufactured to meet current demand from that allocated to provide additions to gasoline inventories.

I would appreciate hearing from you after you have had an opportunity of discussing this with the Planning and Coordination Committee.

Sincerely yours,

Harold L. Ickes,
Administrator

Inclosures.

5534 DEFENSE EXHIBIT NO. 838.

March 1, 1935

Mr. F. E. Holsten,
Barnsdall Oil Corp.,
Petroleum Bldg.,
Tulsa, Okla.

Dear Mr. Holsten:

Will you please telegraph as soon as possible your best estimate of finished and unfinished gasoline held by your company in each district at the close of business February 28, 1935. In reporting these stocks will you please furnish us figures comparable to those which you furnished the respective Allocating Agencies, with which you deal, as estimates of what you would have on hand in each district on February 28, 1935.

The purpose of making this inquiry is to become as fully informed as possible on the actual situation which confronts the industry at the outset of March operations with respect to inventories.

The National Inventory Committee has set an objective of 65,000,000 barrels for the country and an earnest effort is to be made to avoid exceeding this level. It is in connection with our effort to bring this about that we are making this inquiry and it will be of considerable help to us if you can furnish this information promptly.

Very truly yours,

National Coordinator

JES ew

5535 **DEFENSE EXHIBIT NO. 839.**

5536 **Comparison of Gasoline Stocks**
Estimated February 28th, 1935

Summary

District	Estimate For March Allocation	Revised Estimate of Actual	Excess+ Shortage—
District No. 1.....	16,912,042	17,268,921	+ 356,879
District No. 2.....	1,751,423	1,826,726	+ 75,303
District No. 3.....	9,414,059	9,940,815	+ 526,756
District No. 4.....	5,121,225	4,977,918	— 143,307
District No. 5-A.....	1,172,289	1,156,342	— 15,947
District No. 5-B.....	7,562,922	8,018,172	+ 455,250
District No. 6-A.....	1,179,551	1,124,166	— 55,385
District No. 6-B.....	82,131	154,000	+ 71,869
District No. 7.....	993,435	969,687	— 23,748
District No. 8.....	10,566,000	10,730,496	+ 164,496
	54,755,077	56,167,243	+1,412,166

5537 **DEFENSE EXHIBIT NO. 840.**

Telegram

Washington, D. C.
Mar. 9

E. B. Reeser, President, Barnsdall Oil Co.,
Petroleum Bldg., Tulsa, Okla.

On January first this year industry held eleven million barrels less gasoline than January first nineteen thirty four stop API report week ending March second shows sixty five million four hundred thousand barrels finished and unfinished comparable to seventy million eight hundred eighty thousand barrels February twenty eighth nineteen thirty four thus the eleven million barrel advantage has been reduced to five million four hundred forty thousand barrels with March allocations permitting an additional inventory

accumulation of two million nine hundred forty thousand barrels indicating accumulation approximately sixty eight million three hundred thousand barrels close March providing no gasoline overproduction and no disappointment in estimated March demand stop Some overproduction to be expected and disappointment in demand entirely probable and to extent either or both these experienced we will exceed sixty eight million three hundred thousand barrels stop This record indicates danger of throwing away position of advantage which industry earned during last six months nineteen thirty four stop Situation somewhat due to disappointments in demand during January and February evidenced by fact that actual February twenty eighth inventories thirty principal companies show aggregate one million four hundred fifty thousand barrels gasoline in storage in excess of estimates made at time March allocations were received stop Also performance record January indicates excess gasoline production above allowables five hundred fifty thousand barrels with smaller quantity additional overproduction estimated for February stop While your operations in all districts reveal an inventory position February twenty eighth less than your estimates when March allocations were received nevertheless in an earnest effort to salvage all possible of industry position we urge you to instruct your refining division to further curtail gasoline production in March at least to the extent of twenty five thousand barrels even though such curtailment leaves your company in March thirty first position lower than recommended by inventory committee stop If your company and others will make this sacrifice it will contribute immensely to a firm situation and avoid the need to effect a sharp adjustment of crude oil and gasoline production schedules in subsequent months which must inevitably result if we reach March thirty first in out of line position stop If you find you can do more than this 5538 it will materially aid whole situation stop The administration is cognizant of this effort we are making to attain the March thirty first inventory objective stop Will appreciate immediate response indicating extent to which you have authorized your company to respond to this voluntary adjustment.

Howard Bennette
National Coordinator.

DEFENSE EXHIBIT NO. 841.

SUMMARY OF VOLUNTARY REFINERY CURTAILMENT IN MARCH, 1935, BY DEFENDANT COMPANIES

Code Refinery Districts 3 and 4 (14 states—Michigan, Wisconsin, Minnesota, North and South Dakota, Iowa, Illinois, Indiana, Missouri, Kansas, Oklahoma, Nebraska, Tennessee, Kentucky and Western part of Ohio)
Gasoline Inventories, February 28, 1935

Company	District	Estimates submitted by companies early in February and used in making March allocations showing expected inventories by barrels	Revised actuals of expected inventories, by barrels, submitted by companies in response to March 1 request of National Co-ordinator	Amounts by which actuals exceeded or were under the estimates submitted early in February*	March, 1935, voluntary refinery curtailment (difference between production permitted under allocation and actual production**)
Barnsdall Refining Co.	3	59,634	65,488	+ 5,854	
	4	251,912	195,602	— 56,310	— 603
		311,546	261,090	— 50,456	— 603
Cities Service Co. (Empire Oil & Refining Co.)	3	181,419	201,000	+ 19,581	+ 40,057
	4	142,195	142,000	— 195	— 401
		323,614	343,000	+ 19,386	+ 39,656
Continental Oil Company	3	451,172	455,676	+ 4,504	
	4	727,600	752,234	+ 24,634	— 22,774
		1,178,772	1,207,910	+ 29,138	— 22,774
Mid-Continent Petroleum Corp.	3	186,429	198,074	+ 11,645	
	4	580,455	589,675	+ 9,220	— 93,331
		766,884	787,749	+ 20,865	— 93,331
Phillips Petroleum Co.	3	653,000	846,956	+193,956	
	4	885,000	767,818	—117,182	— 51,979
		1,538,000	1,614,774	+ 76,774	— 51,979

Pure Oil Company	3	275,833	274,232	— 1,601	— 8,877
	4	100,900	113,534	+ 12,634	— 1,091
		376,733	387,766	+ 11,033	— 9,968
Shell Petroleum Corp.	3	1,238,449	1,273,795	+ 35,346	— 2,896
	4	145,470	123,057	— 22,413	— 585
		1,383,919	1,396,852	+ 12,933	— 3,481
Sinclair Refining Co.	3	518,433	551,591	+ 33,158	— 14,403
	4	555,000	511,395	— 43,605	— 16
		1,073,433	1,062,986	— 10,447	— 14,419
Skelly Oil Co.	3	184,465	193,000	+ 8,535	
	4	399,740	374,000	— 25,740	— 23,720
		584,205	567,000	— 17,205	— 23,720
Socony-Vacuum Oil Co.					
Lubrite	3	64,457	64,082	— 375	— 65
Wadhams Oil	3	51,439	39,972	— 11,467	— 44,030
White Star	3	172,147	168,031	— 4,116	— 217
White Eagle	4	305,577	322,000	+ 16,423	— 24,920
		593,620	594,085	+ 465	— 69,232
Standard Oil Co. (Ind.)	3	3,267,703	3,412,025	+144,322	+ 14,283
	4	415,911	460,598	+ 44,687	— 1,113
		3,683,614	3,872,623	+189,009	+ 13,170
Gulf Refining Co.	3	717,835	779,627	+ 61,792	+ 17,801
The Texas Co.	3	846,106	817,735	— 28,371	+ 4,000
	4	291,701	304,825	+ 13,124	+ 494
		1,137,807	1,122,560	— 15,247	+ 4,494
Grand Totals		13,669,982	13,998,022	+328,040	—214,386

*Plus —Actual was over estimate
Minus—Actual was under estimate
**Plus —Production over allocation
Minus—Actual production under allocation

5542 **DEFENSE EXHIBIT NO. 842.**

5543 **VOLUNTARY REFINERY CURTAILMENT IN MARCH, 1935**

Company	District	Allocation	Production Reported to Agency	Voluntary Refinery Curtailment (Difference between Production Permitted Under Allocation and Actual Production)
Socony-Vacuum Oil Co.	1	349,000	342,231	
	2	114,000	112,712	
	3	399,311	354,999	
	4	272,000	247,080	
	5a	225,500	224,102	
	5b	1,007,801	905,323	
	7	51,331	50,500	
	8	494,000	499,600	
Total		2,912,943	2,736,547	— 176,396
Standard Oil Co. of N J	1	1,614,000	1,392,791	
	2	72,000	71,922	
	5a	25,600	26,647	
	5b	1,159,215	1,153,315	
	6a	846,600	846,544	
Total		3,717,415	3,491,219	— 226,196
Sunco	1	731,000	730,942	
	3	96,843	96,820	
	4	24,000	23,988	
Total		851,843	851,750	— 93
Atlantic	1	1,099,000	1,095,000	
	2	170,000	157,000	
Total		1,269,000	1,252,000	— 17,000
Cities Service	1	467,000	465,829	
	2	21,000	21,059	
	3	315,635	355,692	
	4	182,676	182,245	
	6b	350,000	350,104	
Total		1,336,311	1,374,929	38,618

5544

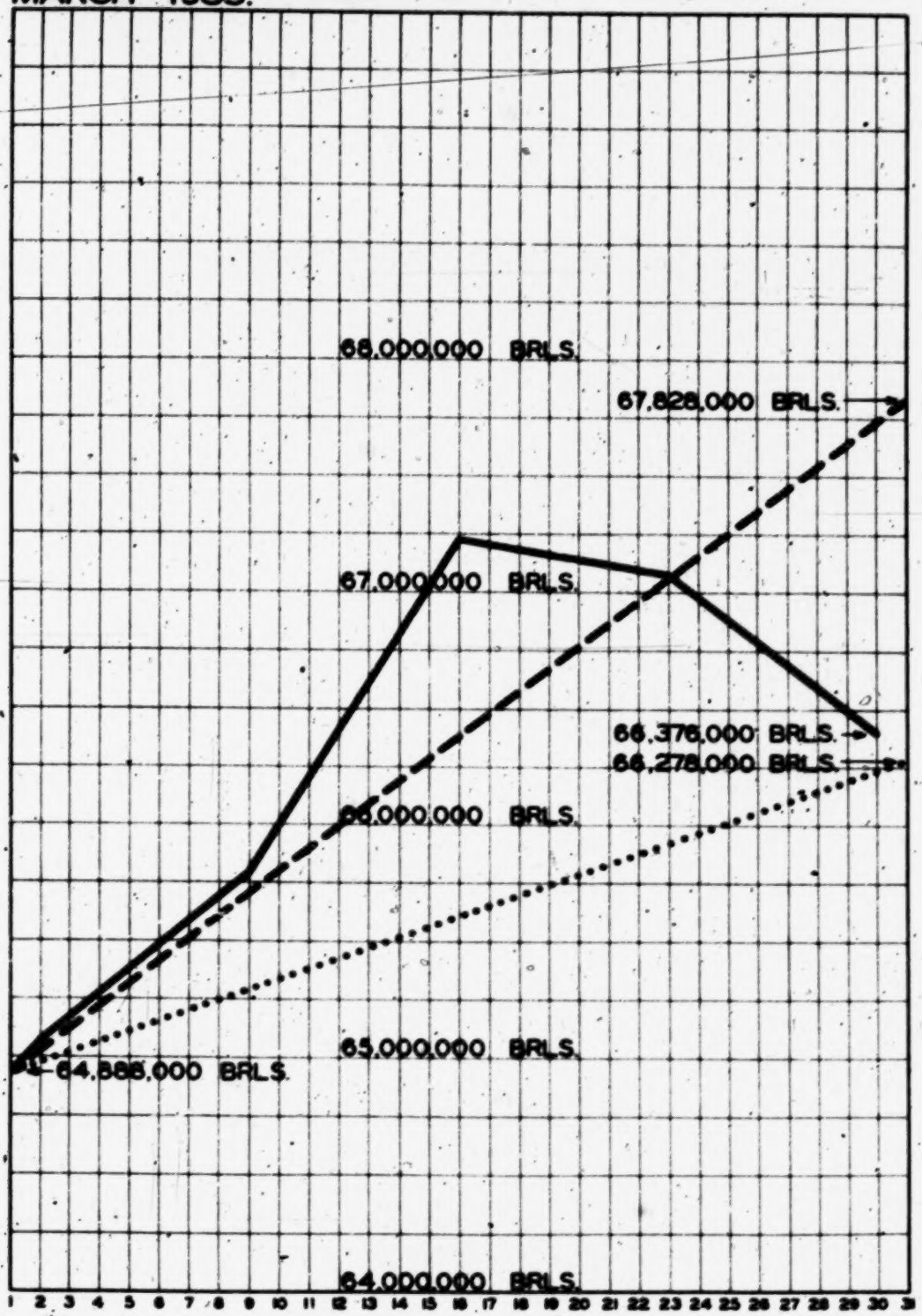
National	2	4,500	4,029	
	3	48,904	33,826	
	4	105,000	107,695	
Total		158,404	145,550	— 12,854
Standard Oil Co. of Ohio	2	278,000	241,394	
	3	310,633	313,470	
Total		588,633	554,864	— 33,769

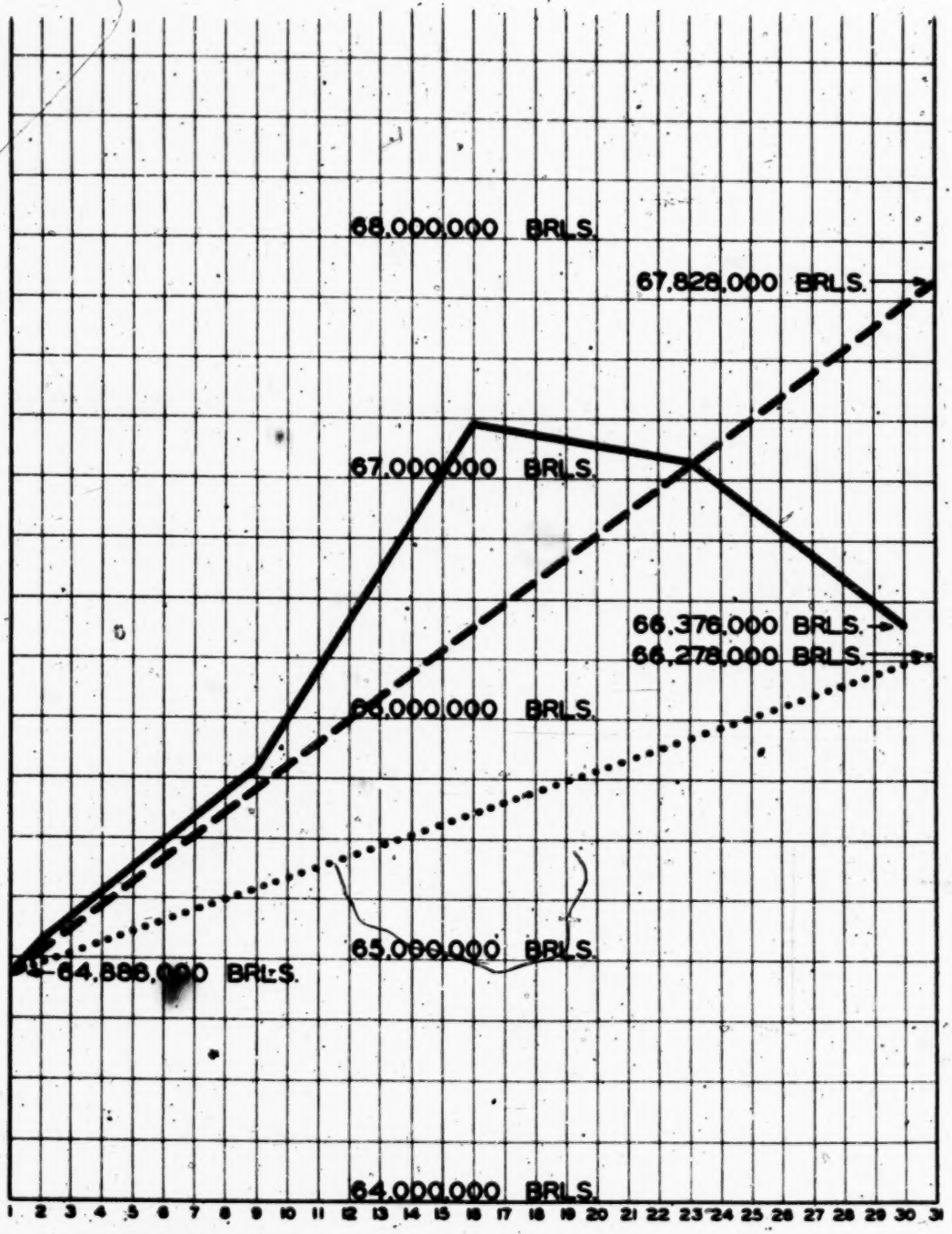
Company	District	Allocation	Production Reported to Agency	*Voluntary Refinery Curtailment* (Difference between Production Permitted Under Allocation and Actual Production)
Shell	3	849,168	846,272	
	4	140,000	139,415	
	5B	615,000	591,337	
	6A	263,100	265,064	
	8	809,442	784,608	
Total		2,676,710	2,626,696	— 50,014
Standard Oil Co. of Indiana	3	1,666,321	1,680,604	
	4	376,166	375,053	
	5B	435,424	491,397	
	6A	22,100	17,807	
	6B	63,000	50,037	
	7	300,106	300,056	
Total		2,863,117	2,914,954	+ 51,837
Texas Corporation	3	529,557	533,557	
	4	225,000	225,494	
	5A	317,375	287,472	
	5B	1,648,000	1,659,315	
	7	103,975	107,138	
	8	379,508	320,663	
Total		3,203,415	3,133,639	— 69,776
5545				
Sinclair Refining Co	1	445,000	389,668	
	2	110,000	109,949	
	3	514,064	499,661	
	4	300,000	299,984	
	5a	102,000	91,870	
	5b	560,000	497,825	
	7	90,092	79,827	
	8	83,746	61,397	
Total		2,204,902	2,030,181	— 174,721
Continental Oil Company	1	128,000	106,656	
	2	8,500	4,200	
	4	432,000	409,226	
	5a	85,000	79,283	
	7	145,683	127,934	
Total		799,183	727,299	— 71,884
Gulf Oil & Refining Co	1	290,000	273,200	
	2	178,000	147,898	
	3	386,024	403,825	
	5a	125,000	99,485	
	5b	1,154,000	1,055,302	
Total		2,133,024	1,979,710	— 153,314

Company	District	Allocation	Production Reported to Agency	Voluntary Refinery Curtailment (Difference between Production Permitted Under Allocation and Actual Production)
The Pure Oil Company	1	200,000	193,116	
	2	186,000	178,937	
	3	153,250	144,373	
	4	128,678	127,587	
	5b	365,000	346,681	
Total		1,032,928	990,694	— 42,234
Tide Water	1	702,000	697,138	
	4	180,000	179,505	
	8	358,296	358,372	
Total		1,240,296	1,235,015	— 5,281
5546				
Barnsdall	4	220,000	219,397	
Total	4	220,000	219,397	— 603
Mid-Continent	4	494,101	400,770	
Total	4	494,101	400,770	— 93,331
Phillips	4	380,000	328,021	
	5A	444,500	580,189	
Total		824,500	908,210	+ 83,710
Skelly	4	330,000	306,280	
Total		330,000	306,280	— 23,720
Standard Oil Co. of Cal	5A	185,500	184,834	
	8	1,400,128	1,399,621	
Total		1,585,628	1,584,455	— 1,173
Richfield	8	286,079	295,398	
Total		286,079	295,398	+ 9,319
Union	8	425,000	428,421	
Total	8	425,000	428,421	+ 3,421
Grand Total		31,153,432	30,187,978	— 965,454

5547 **DEFENSE EXHIBIT NO. 843.**

STOCKS OF FINISHED
AND UNFINISHED GASOLINE
MARCH 1935.





LEGEND

..... INVENTORY INCREASE FROM ACTUAL INVENTORY OF MARCH 1ST TO OBJECTIVE INVENTORY FOR MARCH 31ST.

— — — ACTUAL INVENTORY OF MARCH 1ST INCREASED BY ALLOWABLE PRODUCTION FOR STORAGE FOR THE MONTH OF MARCH.

——— TREND OF ACTUAL INVENTORY.

5549 DEFENSE EXHIBIT NO. 844.

For Identification.

(Certified by the Department of the Interior to be copy of an order dated November 2, 1934, signed by Harold L. Ickes, together with the form of contract attached thereto.)

5550 Order

Whereas, under date of September 8, 1934 I approved certain standard forms of contract to be used in the purchase of distress gasoline to govern negotiations between certain purchasing companies and certain refiners desiring to dispose of such gasoline under the auspices of the Program Committee of the Planning and Coordination Committee, organized pursuant to the said Order; and

Whereas, the Program Committee has submitted to me the attached form to be used hereafter in substitution for the form attached to my said Order and designated Exhibit "B" thereto, and it appearing that the use of this form will be consistent with and will aid in carrying out the purposes of my aforesaid Order,

Now, Therefore, pursuant to the authority vested in me by the President's Order of August 28, 1933, authorized by the National Industrial Recovery Act and by the Petroleum Code, approved thereunder, the attached form of contract is hereby approved, to be used hereafter in such transactions, and under such conditions as were authorized by my Order of September 8, 1934, provided that nothing herein contained shall be deemed to affect the validity or consummation of any contracts entered into, prior to the effective date of this Order, upon forms previously approved by me and provided further that Section
5551 11 of said form hereby approved may not be modified without my express consent.

Approved and promulgated this 2nd day of November, 1934.

Harold L. Ickes

Harold L. Ickes
Secretary of the Interior
and
Administrator for the Petroleum Industry

5552 This agreement made this ..... day of ..... 1934 by and between ..... (hereinafter called Vendor) and ..... (hereinafter called Vendee).

Witnesseth:

Whereas, Vendor has a refinery located at ..... in the State of ..... of ..... and is there engaged in the manufacture of gasoline and, Whereas, said Vendor desires to sell and said Vendee desires to purchase gasoline produced at said refinery,

Now Therefore, in consideration of $1.00 each to the other in hand paid, receipt whereof is hereby acknowledged, and in consideration of the promises and agreements hereinafter set forth, it is agreed as follows:

1. Vendor agrees to sell and Vendee agrees to buy a minimum of ..... barrels of gasoline and a maximum of ..... barrels of gasoline each month for a period of ..... months, beginning on the ..... day of ..... 1934 and continuing until the ..... day of ....., 1935; the exact amount of and grades of gasoline in each month to be purchased hereunder to be determined by mutual agreement between the Vendor and a Committee hereinafter referred to as the Agency appointed by the Planning and Coordination Committee under the Code of Fair Competition for the Petroleum Industry. It is intended

5553 that no agreement for purchase of gasoline, extending over a month, will be negotiated under this program until after the gasoline production quota of the Vendor has been established and his acceptance thereof has been received by the Allocating Agency.

2. The purchase price of said gasoline meeting U. S. Motor Specifications and having an octane rating of 50-62, which shall be known as the "Basing grade", shall be 5¢ per gallon as long as the posted price of crude remains at $1.00 per barrel in the East Texas field. The price to be paid for said gasoline shall increase ¼¢ per gallon with each 5¢ per barrel increase in said posted price of crude and shall decrease ¼¢ per gallon with each 5¢ per barrel decrease, in the said posted price of crude. The posted price of crude shall be deemed the price posted by the majority of the major companies purchasing crude in the East Texas field. The price of gasoline meeting U. S. Motor Specifications and having an octane rating of 63 and above shall be ½¢ per gallon more than the above named prices.

Should the Vendor at any time during the continuance of this contract sell a quantity of gasoline to others at a

lower price than that fixed under this contract then such lower price shall apply to an equal quantity of gasoline sold to Vendee under this contract; the purchase of such gasoline shall be paid for as follows: .....

.....

.....

5554 3. Either party to this contract may cancel the same at the end of any calendar month by giving to the other party, ten days prior to the end of such month, a written notice of such cancellation. It is also agreed that the Vendee may cancel this contract at any time upon two days written notice to Vendor, if any of the conditions of this contract be violated by said Vendor.

4. In consideration of the agreement to purchase said gasoline by the Vendee the Vendor agrees:

(a) That the Vendor will not produce, purchase, transport or run through his refinery, hereinabove described, any crude oil which is produced in excess of the allotment to the well or property from which said crude oil is produced under order of the Administrator or under any valid order of a state regulatory body, and that he will not buy or run through his refinery any oil produced by any producer who is producing crude oil from any property in excess of the allotment to the property from which the crude oil was produced under order of the Administrator or state regulatory body.

(b) That the Vendor will not produce more gasoline during the continuance of this contract than his current quota, as it may be established from time to time under the provisions of Article IV of the Code of Fair Competition for the Petroleum Industry.

(c) That the Vendor will report such of his
5555 operations with respect to the matters herein set forth to the Administrator or to the Planning and Coordination Committee or its agent at such times and in such manner and form as may be requested by the Administrator or the Committee.

(d) That the Vendor will not purchase from any refiner or other person gasoline or other products manufactured from oil produced in violation of any order of the Petroleum Administrator or in violation of any valid order of a state regulatory body or in violation of the Code of Fair Competition for the Petroleum Industry.

(e) That the Vendor at all times during the continuance of this contract will permit the program Committee

of the Planning and Coordination Committee or its accredited representative and/or the Petroleum Administrator or his accredited representative, to examine his books, records and plant, examine his record of receipts of crude and products therefrom of refinery yields, of all gauges, of sales and shipments, to observe actual operations, and to make such other investigations as will assure the Committee and the Petroleum Administrator of compliance with the terms of this agreement.

(f) That the Vendor will make all reports required of him by the Planning and Coordination Committee or required by any agency appointed by such committee
5556 and will also make all required reports to the Bureau of Mines or other Governmental or state agencies. Said Vendor shall make all such reports available to Vendee.

5. In the event Vendor cannot obtain sufficient crude oil at the current market price from which to manufacture the gasoline herein sold, then, in that event, Vendor shall be obligated to furnish only that gasoline which he is able to produce from such supply of crude as he is able to obtain.

6. In the event of a violation of the terms of this contract by either buyer or seller, upon such violation being called to the attention of the violator, the operation of this contract shall thereupon be suspended and no products shall be shipped hereunder until the question of such violation shall be determined. If there be disagreement as to such violation the same shall be submitted to a committee of arbitration to consist of three members, one name to be selected by each of the parties to this contract and one by the Program Committee.

7. In the event the Government of the United States or any of its agents make any rules, regulations or orders or take any action materially affecting this contract as to prices or otherwise, then this contract shall be immediately terminated, in which event all liability thereunder shall cease, except as to shipments made prior to such termination.

8. It is agreed by the parties hereto, that this agreement is made pursuant to the provisions of the Na-
5557 tional Industrial Recovery Act and for the purpose of effectuating the policies of such Act and for the purpose of carrying out and effectuating the Code of Fair Competition for the Petroleum Industry and that in case of a breach of any of the terms of this contract by the Vendor that a judgment for damages will be entirely in-

adequate and of no avail and that neither of the parties hereto has any adequate remedy at law against the other and that in case of a breach of any of the provisions of this contract or a refusal to perform the same, that a Court of Equity of competent jurisdiction may grant the aggrieved party an injunction against further violation of this contract and that said Court may also enter a decree for specific performance hereof.

9. In compliance with Title I, Section 7(a) of the N. I. R. A., the following conditions are incorporated in and made a part of this agreement:

(1) Employees shall have the right to organize and bargain collectively through representatives of their own choosing and shall be free from the interference, restraint or coercion of employers of labor, or their agents, in the designation of such representatives or in self organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection;

(2) No employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and

5558 (3) Employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the President.

10. This agreement is made in pursuance of the provisions of the National Industrial Recovery Act and its use has been authorized and approved by the President under the provisions of Paragraph 2, Section 4, of Title I of said Act and Article I, Section 5, of the Code of Fair Competition for the Petroleum Industry, it being agreed that the President may from time to time cancel or modify his Order approving this form.

11. This contract is made on the express understanding that the Vendor, in executing this contract, shall not be held to have acquiesced in the legality or correctness of any allotment, order, rule or regulation made by the Administrator, and that while complying with any allotment, order, rule or regulation, he shall not be estopped or otherwise precluded from contesting the allotment, order, rule or regulation either on the law or on the facts involved in any proceeding before any court or before any administrative body, which proceeding may be initiated either by him or by the Government, and it is especially understood that the vendor reserves and asserts all of his constitutional rights.

5559 **DEFENSE EXHIBIT NO. 845.**

For Identification.

(Certified by the Department of the Interior to be copy of an order dated June 23, 1934, signed by Harold L. Ickes, together with the form of contract attached thereto.)

5560 **Order**
Under Title I, Section 9 (c)
of the
National Industrial Recovery Act

Whereas, large and uneconomic stocks of gasoline have been accumulated by certain refiners who have commingled legally produced gasoline with gasoline made from crude oil produced in excess of allowables, which gasoline is considered illegal for the purposes of Section 9(c) of Title I of the National Industrial Recovery Act, and

Whereas, Regulation VI of the Regulations promulgated by the President on July 15, 1933 under Section 9 (c) of the National Industrial Recovery Act, which requires refiners to file an affidavit setting forth the facts with respect to the legality of the crude oil from which gasoline has been manufactured, prevents the legal shipment of the aforesaid gasoline in commerce, and

Whereas, certain refiners have been secretly and illegally shipping certain storage gasoline into commerce at prices which have been destructive to the gasoline market, and the authority of the federal government to prevent these practices has been seriously impeded by injunctions obtained in the Federal District Courts in Texas enjoining the federal government from enforcing many of the regulations promulgated under said Section 9 (c) with the result
5561 that the Division of Investigations, Department of the Interior, has been prevented in some instances from keeping accurate records with respect to what gasoline had been refined from crude oil produced in excess of allowables, and

Whereas, the effect of this accumulated storage of excess gasoline has been to depress markets and cause a breakdown of the gasoline price structure throughout the United States to the detriment of independent, non-integrated refiners who purchase crude oil on a market stabilized by proration and are forced to sell gasoline on a dis-

tressed market caused largely by the shipment of illegally produced gasoline into commerce at ruinous prices, and

Whereas, this condition has become a hardship upon and is tending to eliminate and oppress small enterprises and is operating to discriminate against them, and

Whereas, it is necessary to relieve the market of excess storage gasoline and to aid in obtaining full compliance with the production and refining provisions of the Code of Fair Competition for the Petroleum Industry in the future, and

Whereas, certain refiners have signified their willingness to agree to abide by the production and refinery provisions of said Code hereafter, if such excess storage gasoline may be shipped in commerce, and

Whereas, certain large purchasers of gasoline have signified their willingness to purchase said storage gasoline provided the sellers will agree hereafter to abide by
5562 said Code provisions,

Now Therefore, pursuant to the authority vested in me by the President's Orders of July 14, 1933 and August 28, 1933 authorized by Sections 2 (a) and 9 (c) of Title I of the National Industrial Recovery Act it is hereby ordered that the affidavits required for Class B shipments under Regulation VI of the Regulations promulgated July 25, 1933 under said Section 9 (c) of Title I of the National Industrial Recovery Act need not be furnished when the shipment is made pursuant to the standard form of contract for the purchase of gasoline approved this day, (a copy of which is attached hereto) which is expressly conditioned on the seller agreeing hereafter to abide by the production and refinery provisions of the Code of Fair Competition for the Petroleum Industry.

Promulgated this 23d day of June, 1934.

(sgd) Harold L. Ickes,
Administrator of the Code of Fair Competition for the Petroleum Industry and Secretary of the Interior.

5563 Memorandum of Agreement made this day of , 1934, by and among , (hereinafter called Vendor) , (hereinafter called Vendee) and Harold L. Ickes, Administrator for the Petroleum Industry under the National Industrial Recovery Act and the Code of Fair Competition for the Petroleum Industry, (hereinafter called Administrator)

Witnesseth:

Whereas, Vendor has a refinery located at in the State of , and

Whereas, the said Vendor has storage gasoline amounting to barrels, and desires to dispose of said storage gasoline, and

Whereas, Vendee desires to purchase said gasoline subject to certain conditions,

Now Therefore, in consideration of $1.00 each to the other in hand paid receipt whereof is hereby acknowledged, and other good and valuable considerations it is agreed as follows:

1. The Vendor agrees to sell and Vendee agrees to buy barrels of said storage gasoline subject to the following conditions, to which the Vendor hereby agrees:

(a) that the Vendor will not produce, purchase, transport, or run through his refinery, hereinabove described, any crude oil which is produced in excess of the allotment to the well or property from which said crude oil is
5564 produced under order of the Administrator or under any valid order of a State Regulatory Body, and that he will not buy or run through his refinery any oil produced by any producer who is producing crude oil from such property in excess of the allotment to the property from which the crude oil was produced under order of the Administrator or State Regulatory Body;

(b) that the Vendor will not produce more gasoline than his current allowable as it may be fixed from time to time under the provisions of the Code of Fair Competition for the Petroleum Industry;

(c) that the Vendor will report such of his operations with respect to the matters herein set forth to the Administrator or to the Planning and Coordination Committee or its agent at such times and in such manner and form as may be requested by the Administrator or the Committee.

2. It is agreed by the parties hereto that the Vendee and the Administrator have been induced to enter into this contract for the purpose of assisting the Vendor so that

hereafter he may fully comply with the provisions of the Code of Fair Competition for the Petroleum Industry and that strict observance of the conditions set forth in Section 1 hereof on the part of the Vendor is of the essence of this agreement.

3. The Vendor and Vendee agree that the Vendor will pay, and the Vendee will accept in full payment for the gasoline purchased hereunder ¢ per gallon.

4. The deliveries of said storage gasoline shall be as follows:

5565 5. Payment for the gasoline purchased hereunder shall be made 75% cash upon shipment, and 12½% 45 days after date of shipment, and 12½% 90 days after date of shipment, with interest on the unpaid balances at the rate of % per annum, said payments to be contingent upon the faithful performance of Vendor of the conditions set forth in Section 1 above.

6. If Vendee desires to purchase any of Vendor's current production of gasoline it is agreed that said purchases shall be made pursuant to a contract in writing embodying the provisions of Section 1 hereof.

7. It is agreed by the parties hereto that this agreement is made pursuant to the provisions of the National Industrial Recovery Act and the Code of Fair competition for the Petroleum Industry, and that it is subject to all of the terms and conditions thereof; that in case of breach by the Vendor of any of the conditions set forth in Section 1 hereof a judgment for damages will be of no avail, and that none of the parties hereto has an adequate remedy at law against the other; that the Administrator is interested in the full and punctual performance of this contract to make effective the Code of Fair Competition for the Petroleum Industry, and that adequate relief in case of a breach of any of the conditions set forth in Section 1 hereof may be provided only by the remedies of injunction or specific performance granted by a court of equity.

8. It is further agreed by the parties hereto that the Administrator of the Code of Fair Competition for
5566 the Petroleum Industry may at any time cancel this agreement in order fully to effectuate the purposes of the National Industrial Recovery Act and of the said Code.

In Witness Whereof the parties hereto have executed this agreement in triplicate the day and year first above written.

.....(Seal)

.....(Seal)

Administrator of the Petroleum Industry.

5567 **DEFENSE EXHIBIT NO. 846.**

For Identification.

(Certified by the Department of the Interior to be copy of an order dated September 8, 1934, signed by Harold L. Ickes, together with two forms of contracts attached thereto.)

5568 **Order**
Under The
Code of Fair Competition
For The
Petroleum Industry

Whereas, under dates of June 23, 1934 and August 13, 1934 respectively, I approved certain standard forms of contract to be used in the purchase of distress gasoline with a view to securing markets for the products of small non-integrated and semi-integrated refiners, and further to bring the refinery price of gasoline into closer relation to the price of crude oil in order to carry out the objectives of the National Industrial Recovery Act, and

Whereas, a large number of small non-integrated and semi-integrated refiners have entered into contracts pursuant to the standard forms approved as above, and it now appearing that if this program is to achieve the objectives desired the activities both of the purchasers and of the sellers must be correlated and supervised so that Article IV of the Code of Fair Competition for the Petroleum Industry, as amended April 24, 1934, may be made effective, monopolies and monopolistic practices avoided, and the elimination of small refining enterprises prevented, and

Whereas, the Planning and Coordination Committee has recommended to me by Resolution of August 15, 1934, that a subcommittee be appointed pursuant to Section 6 of the aforesaid Article IV, as amended, with the duty of negotiating with purchasers of gasoline to secure markets for excess stocks produced by such refiners, and for other purposes set forth in said Resolution,

Now, Therefore, pursuant to the authority vested in me by the President's Order of August 28, 1933, authorized by the aforesaid National Industrial Recovery Act, and the Petroleum Code approved thereunder, the creation and establishment of a subcommittee of the Planning and Co-

ordination Committee to be known as the "Program Committee", is hereby approved. This Committee shall have
the duty of negotiating with purchasers of gasoline
5569 with a view to securing markets for excess stocks of
gasoline in the hands of non-integrated and semi-integrated refiners and for gasoline produced or to be produced by such refiners that might create excessive inventories and to prevent discrimination against, oppression of or elimination of small refining enterprises; to make efforts to provide for an orderly sale and resale of their excess products by arrangements with integrated units, and others, in the industry for the purchase of gasoline from them; and generally to take steps to effectuate the purposes of the aforesaid Section 6 of Article IV, as amended. All contracts consummated for the sale of such gasoline by such non-integrated and semi-integrated refiners must be entered into pursuant to the provisions of the standard forms of contract in the words and figures attached hereto and by reference made a part hereof, which forms are Exhibits "A" and "B" to said Resolution of August 15, 1934; the use of which contracts in carrying out this program is hereby approved by me pursuant to Section 4 of the said National Industrial Recovery Act and Article 1, Section 5 of the said Code; provided however, that a duly executed copy of each contract executed shall be filed with the Petroleum Administrative Board by the Progra Committee as soon as is practicable after execution.

Provided, Further, that the use of these forms of contracts is to be considered mandatory in all transactions entered into pursuant to this order with the exception that in the form attached hereto and marked Exhibit "A" any provision other than those enumerated (a), (b), (c), (d), (e), (f) and those contained in the second, third, seventh and eighth paragraphs immediately following such enumerated provisions and in that marked Exhibit "B", any provision other than those contained in Sections 4, 6, 9 and 10 may be modified or eliminated if and in such manner as the Vendor and Vendee shall determine.

The Program Committee shall adopt such rules and regulations as may prove necessary to carry out the above program, and shall submit the same to me for approval.

The Petroleum Administrative Board is hereby expressly authorized by me to determine any complaints that may arise by reason of the operation of the above program, to afford adequate hearing to persons affected or claiming to

be affected, and to recommend to me such modifications or changes as may be desirable either in the general program or in any particular policy adopted by the Program Committee.

5570 The Program Committee shall keep records setting forth the extent and number of transactions entered into for the purchase of gasoline hereunder, the names of the purchaser and seller in each instance, and the quantity and price involved, and shall furnish the Petroleum Administrative Board a list of such transactions, with the information stated, on the 30th day of each month, or oftener if requested.

The Program Committee shall permit a duly designated representative of the Petroleum Administrative Board to be present at any and all meetings and shall give due notice of such meetings to the said Board or to such duly designated representative. It shall permit the said Board or any duly designated representative thereof to inspect any and all books, records and documents.

Nothing herein contained shall be deemed to change the effect of my orders of June 23, 1934 and August 13, 1934 approving certain forms of contract for the purchase of stored and currently produced gasoline, provided, however, that all contracts hereafter written for the purchase of distress gasoline shall comply with the standard forms of contract hereinabove described.

Promulgated this 8th day of September, 1934.

(Sgd.) Harold L. Ickes,
Administrator of the Code of Fair Competition for the Petroleum Industry, and Secretary of the Interior

5571 Purchase Agreement

....., hereinafter called Vendee, has purchased from ....., hereinafter called Vendor, the following products:

To be shipped by
To be invoiced by
Price
Cars furnished by
F. O. B.
Basis of price

Terms governing outage at destination
Freight to be paid by
Point of delivery
Delivery to begin To be completed prior to
At the rate of
Terms of payment

Shipping notices must be sent on buyer's forms as per instructions on each order.

5572 Reports of the receipt, loading and departure of buyer's cars to be mailed promptly to the .....
.....
and to .....

This purchase and sale are subject to the following special conditions to which the vendor hereby agrees:

(a) That the Vendor will not produce, purchase, transport or run through his refinery hereinabove described any crude oil which is produced in excess of the allotment to the well or property from which said crude oil is produced under order of the National Petroleum Administrator or under any valid order of a State Regulatory Body, and that he will not buy or run through his refinery any oil produced by any producer who is producing crude oil from any property in excess of the allotment to the property from which the crude oil was produced under order of the National Petroleum Administrator or State Regulatory Body.

(b) That the Vendor will not produce more gasoline than his current quota as it may be fixed from time to time under the provisions of the Code of Fair Competition for the Petroleum Industry.

(c) That the Vendor will report such of his operations with respect to the matters herein set forth to the Na-

tional Petroleum Administrator or to the Planning and Coordination Committee or its Agent at such times and in such manner as may be requested by the Administrator or the Committee.

5573 (d) That the Vendor will not purchase from any refiner or other person gasoline or other products manufactured from oil produced in violation of any order of the Petroleum Administrator or in violation of any valid order of a state regulatory body or in violation of the Code of Fair Competition for the Petroleum Industry.

(e) That the vendor at all times during the continuance of this contract will permit the Program Committee of the Planning and Coordination Committee, or its accredited representative, and/or the Petroleum Administrator or his accredited representative, to examine his books, records and plant, examine his records of receipts of crude and products therefrom of refinery yields of all gauges, of sales and shipments, to observe actual operations, and to make such other investigations as will assure the Committee and the Petroleum Administrator of compliance with the terms of this agreement.

(f) That the Vendor agrees that he will make all reports required of him by the Planning and Coordination Committee or required by any Agency appointed by such Committee and that he will also make all required reports to the Bureau of Mines or other Governmental or State Agencies, and will make all such reports available to Vendee.

In the event Vendor cannot obtain sufficient crude oil at the current market price from which to manufacture the gasoline herein sold, then in that event, Vendor shall

5574 be obligated to furnish only that gasoline which he is able to produce from his available supply of crude oil.

In the event of a violation of the terms of this contract by either Buyer or Seller, upon such violation being called to the attention of the violator the operation of this contract shall thereupon be suspended and no products shall be shipped hereunder until the question as to such violation shall be determined.

In the event of a disagreement as to such violation, the same shall be determined by an Arbitration Committee to consist of three members, one to be selected by each of the parties to this contract and one by the Program Committee.

This contract may be cancelled by either party without cause by giving the other party thirty days notice in writing, to that effect; notice of cancellation shall be considered as properly given if sent by registered mail duly addressed

to Vendee at .....
or the Vendor at .....,
In the event the Government of the United States or any of its Agencies make any rules, regulations or orders or take any action materially affecting this contract as to price or otherwise, then this contract shall be immediately terminated, in which event all liability thereunder shall cease except as to shipments made prior to such termination.

It is further agreed by the parties hereto that this agreement is made pursuant to the provisions of the Na-
5575 tional Industrial Recovery Act and for the purpose of effectuating the policies of such Act and also for the purpose of carrying out and effectuating the Code of Fair Competition for the Petroleum Industry, and in case of breach of any of the terms of this contract by the Vendor that a judgment for damages will be entirely inadequate and of no avail, and that neither of the parties hereto has any adequate remedy at law against the other and that in case of a breach of any of the provisions of this contract or a refusal to perform the same that a Court of Equity of competent jurisdiction may grant the aggrieved party an injunction against further violation of this contract and that such Court may also enter a decree for the specific performance hereof.

In compliance with Title I Sec. 7 (a) of the National Industrial Recovery Act the following conditions are incorporated in and made a part of this agreement; (1) Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; (2) No employee and no one seeking employment shall be required
as a condition of employment to join any company
5576 union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and (3) Employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the President.

This agreement is made in pursuance of the provisions of the National Industrial Recovery Act and its use has been authorized and approved by the President under the provisions of paragraph 2, Section 4, of Title I of said Act and Article I, Section 5 of the Code of Fair Competition for the Petroleum Industry, it being agreed that the Presi-

dent may from time to time cancel or modify his order approving this form.

It is mutually agreed that should either party be unable to carry out this contract because of fires, strikes, act of Providence or reasons beyond his or its control, such party may suspend the contract, if so made necessary until the conditions so necessitating such suspension are removed and the time of this contract shall be extended an amount of time equal to such suspension.

In Witness Whereof, the parties hereto have hereunto set their signatures this ..... day of ....., 1934.

....

....

5577 This agreement made this .... day of ..... 1934 by and between ..... (Hereinafter called Vendor) and ..... (hereinafter called Vendee).

Witnesseth:

Whereas, Vendor has a refinery located at ..... in the State of ..... and is there engaged in the manufacture of gasoline, and,

Whereas, said Vendor desires to sell and said Vendee desires to purchase gasoline produced at said refinery,

Now, Therefore, in consideration of $1.00 each to the other in hand paid, receipt whereof is hereby acknowledged, and in consideration of the promises and agreements hereinafter set forth, it is agreed as follows:

1. Vendor agrees to sell and Vendee agrees to buy a minimum of ..... barrels of gasoline and a maximum of ..... barrels of gasoline each month for a period of ..... months, beginning on the .... day of ....., 1934 and continuing until the .... day of ....., 1935; the exact amount of and grades of gasoline in each month to be purchased hereunder to be determined by mutual agreement between the Vendor and a Committee hereinafter referred to as the Agency appointed by the Planning and Coordination Committee under the Code of Fair Competition for the Petroleum Industry. The exact amount and grades of gasoline to be purchased each month shall not be determined until the gasoline production quota of the Vendor has been established and his acceptance
5578 thereof has been received by the Allocating Agency.

2. The purchase price of said gasoline meeting U. S. Motor specifications and having an octane rating of 50-62, which shall be known as the "basing grade", shall be a

minimum of .....¢ per gallon and a maximum of .....¢ per gallon; the exact purchase price of gasoline of the "basing grade" and for gasoline of other grades for deliveries in each month, or fraction thereof, shall be determined in the following manner: .....

.....

.....

Should the Vendor at any time during the continuance of this contract sell a quantity of gasoline to others at a lower price than that fixed under this contract then such lower price shall apply to an equal quantity of gasoline sold to Vendee under this contract; the purchase of such gasoline shall be paid for as follows: .....

.....

.....

3. Either party to this contract may cancel the same at any time upon giving to the other party a thirty day written notice of said cancellation. It is also agreed that the Vendee may cancel this contract at any time upon two days written notice to the Vendor if any of the conditions of this contract be violated by said Vendor:

5579 4. In consideration of the agreement to purchase said gasoline by the Vendee the Vendor agrees:

(a) That the Vendor will not produce, purchase, transport or run through his refinery, hereinabove described, any crude oil which is produced in excess of the allotment to the well or property from which said crude oil is produced under order of the Administrator or under any valid order of a state regulatory body, and that he will not buy or run through his refinery any oil purchased by any producer who is producing crude oil from any property in excess of the allotment to the property from which the crude oil was produced under order of the Administrator or state regulatory body.

(b) That the Vendor will not produce more gasoline during the continuance of this contract than his current quota, as it may be established from time to time under the provisions of Article IV of the Code of Fair Competition for the Petroleum Industry.

(c) That the Vendor will report such of his operations with respect to the matters herein set forth to the Administrator or to the Planning and Coordination Committee or its agent at such times and in such manner and form as may be rquested by the Administrator or the Committee.

(d) That the Vendor will not purchase from any refiner or other person gasoline or other products manufactured from oil produced in violation of any order of

the Petroleum Administrator or in violation of any
5580 valid order of a state regulatory body or in violation of the Code of Fair Competition for the Petroleum Industry.

(e) That the Vendor at all times during the continuance of this contract will permit the Program Committee of the Planning and Coordination Committee or its accredited representative and/or the Petroleum Administrator or his accredited representative, to examine his books, records and plant, examine his record of receipts of crude and products therefrom of refinery yields, of all gauges, of sales and shipments, to observe actual operations, and to make such other investigations as will assure the Committee and the Petroleum Administrator of compliance with the terms of this agreement.

(f) That the Vendor will make all reports required of him by the Planning and Coordination Committee or required by any agency appointed by such committee and will also make all required reports to the Bureau of Mines or other Governmental or state agencies. Said Vendor shall make all such reports available to Vendee.

5. In the event Vendor cannot obtain sufficient crude oil at the current market price from which to manufacture the gasoline herein sold, then, in that event, Vendor shall be obligated to furnish only that gasoline which he is able to produce from such supply of crude oil as he is able to obtain.

6. In the event of a violation of the terms of this contract by either buyer or seller, upon such violation being called to the attention of the violator, the operation
5581 of this contract shall thereupon be suspended and no products shall be shipped hereunder until the question of such violation shall be determined. If there be disagreement as to such violation the same shall be submitted to a committee of arbitration to consist of three members, one name to be selected by each of the parties to this contract and one by the Program Committee.

7. In the event the Government of the United States or any of its agents make any rules, regulations or orders, or take any action materially affecting this contract as to prices or otherwise, then this contract shall be immediately terminated in which event all liability thereunder shall cease, except as to shipments made prior to such termination.

8. It is agreed by the parties hereto, that this agreement is made pursuant to the provisions of the National Industrial Recovery Act and for the purpose of effectu-

ating the policies of such Act and also for the purpose of carrying out and effectuating the Code of Fair Competition for the Petroleum Industry and that in case of a breach of any of the terms of this contract by the Vendor that a judgment for damages will be entirely inadequate and of no avail and that neither of the parties hereto has any adequate remedy at law against the other, and that in case of a breach of any of the provisions of this contract or a refusal to perform the same, that a Court of Equity of competent jurisdiction may grant the aggrieved party an injunction against further violation of this con-
5582 tract and that said Court may also enter a decree for specific performance hereof.

9. In compliance with Title I, Section 7(a) of the N.I.R.A. the following conditions are incorporated in and made a part of this agreement:

(1) Employees shall have the right to organize and bargain collectively through representatives of their own choosing and shall be free from the interference, restraint or coercion of employers of labor, or their agents, in the designation of such representatives or in self organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection;

(2) No employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing; and

(3) Employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the President.

10. This agreement is made in pursuance of the provisions of the National Industrial Recovery Act and its use has been authorized and approved by the President under the provisions of Paragraph 2, Section 4, of Title I of said Act and Article I, Section 5 of the Code of Fair Competition for the Petroleum Industry it being agreed that the President may from time to time cancel or modify his Order approving this contract.

In Witness Whereof, the parties hereto have set their hands and seals the day and year first above written.

.....(Seal)

.....(Seal)

5583 **DEFENSE EXHIBIT NO. 847.**

For Identification

(Certified by the Department of the Interior to be copy of an order dated August 13, 1934, signed by Harold L. Ickes, together with the contract form attached thereto.)

5584 **Order**

Under The National Industrial Recovery Act

Whereas, under date of June 23, 1934 the promulgation of a standard form of contract for the purchase of excess stocks of gasoline was duly authorized,

And it appearing that the majority of the refiners whose places of business are located in or about the East Texas field have become parties to said contracts, and have thereby agreed not to purchase in the future any crude petroleum, the movement of which in interstate commerce would be considered illegal under the provisions of Section 9 (c) of the National Industrial Recovery Act, and have further agreed to abide by the production and refining provisions of the Code of Fair Competition for the Petroleum Industry, and

Whereas, certain other refiners not having gasoline in storage desire to enter into contracts for the sale of currently produced gasoline, and

Whereas, certain large purchasers have signified their willingness to purchase gasoline currently produced by such refiners provided that the sellers thereof will agree to abide thereafter by the orders of the Administrator, or of duly authorized State regulatory bodies with re-
5585 spect to the production of crude petroleum and the refining of the products thereof and have submitted a standard form of contract to govern such purchases,

Now, Therefore, pursuant to the authority of the President's orders of July 14, 1933 and August 28, 1933, authorized by Sections 2 (b) and 9 (c) of the National Industrial Recovery Act, it is hereby ordered that such purchases may be made upon the conditions set forth in the standard form of contract for the purchase of currently produced gasoline approved this day (copy of which is attached hereto).

Provided, that duly executed copies of all such contracts entered into for the purchase of currently produced gasoline with refiners who have not heretofore become parties

to the standard form of contract approved by my said order of June 23 shall be filed with the Petroleum Administrative Board within ten days after the execution of any such contract.

Promulgated this 13th day of August, 1934.

(Signed) Harold L. Ickes
Administrator of the Code of Fair Competition for the Petroleum Industry, and Secretary of the Interior.

5586 Memorandum of Agreement made this ..... day of ..... 1934, by and among ..... (hereinafter called Vendor), and ..... (hereinafter called Vendee).

Witnesseth:

That Vendee has purchased from Vendor the following products:

(Here insert special terms of contract)

This purchase and sale are subject to the following special conditions to which the Vendor hereby agrees:

(a) That the Vendor will not produce, purchase, transport, or run through his refinery, hereinabove described, any crude oil which is produced in excess of the allotment to the well or property from which said crude oil is produced under order of the Administrator or under any valid order of a State Regulatory Body, and that he will not buy or run through his refinery any oil produced by any producer who is producing crude oil from such property in excess of the allotment to the property from which the crude oil was produced under order of the Administrator or State Regulatory Body.

(b) That the Vendor will not produce more gasoline than his current allowable as it may be fixed from time to time by the Planning and Coordination Committee with the approval of the Administrator.

(c) That the Vendor will report such of his operations with respect to the matters herein set forth to the Administrator or to the Planning and Coordination Committee or its agent at such times and in such manner and form as may be requested by the Administrator or the Committee.

(d) In the event Vendor cannot obtain sufficient crude oil at the current market price from which to manufacture the gasoline herein sold, then in that event, Vendor

shall be obligated to furnish only that gasoline which he is able to produce from his supply of crude oil or that which is furnished him by the Vendee or his agent at the current market price.

5587 (e) This contract may be cancelled by either party without cause by giving parties thirty days notice in writing to that effect. Notice of cancellation should be considered as properly given if sent by registered mail duly addressed to Vendee at .....
In the event the federal government or any of its agents may make any rules or regulations materially affecting this contract as to price, or otherwise, then this contract shall be immediately terminated, in which event all liability thereunder shall cease except as to shipments made prior to such cancellation.

(f) It is mutually agreed that should either party be unable to carry out this contract because of fires, strikes, acts of Providence or reasons beyond his or its control, such party may suspend the contract, if so made necessary, until the conditions so necessitating such suspension are removed and the time of this contract shall be extended an amount of time equal to such suspension.

In Witness Whereof the parties hereto have executed this agreement in triplicate, the day and year first above written.

5588 DEFENSE EXHIBIT NO. 848.

For Identification.

(Certified by the Department of the Interior to be copy of Press Release dated April 6, 1934, issued by the Department of the Interior.)

5589 Department of the Interior
Memorandum for the Press

For Release in Morning Papers of
Friday, April 6, 1934.

A draft of a plan designed to stabilize petroleum refinery, operations and balance gasoline supply with demand today was made public. The plan is for the consideration of the oil industry and will be discussed at a hearing before the Petroleum Administrative Board next Wednesday, April 11, at 10 o'clock, in the Interior Department Auditorium.

Secretary of the Interior Harold L. Ickes, the Oil Administrator, explained that the plan represented a consolidation by the Petroleum Administrative Board of various proposals offered by factions in the oil industry. He emphasized that he had neither approved nor disapproved the plan.

"The collapse of the wholesale gasoline structure and consequent collapse of the crude oil market is threatened by an excessive surplus of gasoline and heavy over-production," Administrator Ickes said. "This condition must be quickly remedied."

As drafted, the plan would be a complete substitute for the refining article of the Oil Code. It proposes that gasoline production and stocks be regulated strictly to keep the supply balanced with demand, and vests the industry with control of agencies established to achieve this aim, subject to the approval of the Oil Administrator.

The plan also provides for making the proposed gasoline purchase or pooling agreement a part of the Oil Code. This agreement, submitted to Administrator Ickes several
5590 weeks ago, provides for the creation of a stabilization pool to buy and hold "distress" or surplus gasoline. The operation of the pool would be kept under the closest scrutiny of the Oil Administrator, and participants in the pool would agree to keep their own surplus gaso-

line off the market themselves. It is designed to assure to the small, independent refiner who, in most instances lacks outlets for his production, a market for his gasoline at a fair price.

To assure the effective operation of the plan, provision is made for the establishment of quotas for the shipment of gasoline into the national market from all or any refineries in a district in which there is an excessive supply, or any refinery which fails to operate in conformity with the plan.

The text of the plan follows:

Article IV—Refining

Section 1. To achieve greater accuracy in balancing production and consumption of gasoline, and to prevent the injurious effect on interstate commerce of an unbalanced accumulation of inventories of motor fuel in any part of the country or of surplus production and consequent distribution of motor fuel in excess of market requirements, a Federal Agency, designated by the President, shall divide the country into eight refining districts and shall determine from time to time:

(1) The proper relationship between inventories of motor fuel and sales thereof for each district, and

(2) The production of motor fuel in each district necessary to meet the demand therefor, with due regard to normal seasonable fluctuations in refining operations. The determinations so made shall constitute the operating schedules for the refining industry in each district.

Section 2. The Planning and Coordination Committee shall appoint for each district, subject to the approval of the President, a district allocator, from nominations made by refiners operating within the district. The Regional Committees appointed by the Planning and Coordination Committee, together with such subcommittees as may be necessary, shall cooperate with the district allocator in making effective the provisions of this Article. The
5591 Planning and Coordination Committee shall appoint for each district, subject to the approval of the President, A Board of Review, which shall adequately be representative of the refining industry in each district, for the purpose of reviewing the findings and/or other activities of the district allocator. Within the limits of the operating schedules for the refining industry in each district, as determined by the Federal Agency pursuant to Section 1

above, the district allocator shall establish for each refinery operating in the district:

(1) The proper relationship between inventories of motor fuel and sales thereof, and/or

(2) The amount of motor fuel to be produced.

In making such allocations the district allocator shall take into consideration relevant features of operating and market conditions under rules and regulations prescribed by the Committee, with the approval of the President. The district allocator in conjunction with the Board of Review also shall make every effort to avoid inequities that may exist in the availability of supplies of crude oil to refiners necessary to maintain either the proper ratio between inventories of motor fuel and sales thereof or the production of motor fuel authorized in the manner set forth above, and shall recommend to the Committee such withdrawals from storage (including inter-company transactions) as are necessary to achieve the purposes of this Article. No withdrawals from storage by or on behalf of any refiner operating in a single district shall be authorized under the terms of Article III, Section 2 hereof and/or rules or regulations issued thereunder, unless the application has been referred to the district allocator concerned. Any person may appeal from any recommendation, allocation or decision of the district allocator to the Board of Review provided for above, and the decision of the said Board of Review shall be final, subject to the approval of the Planning and Coordination Committee and the President.

Section 3. The Planning and Coordination Committee shall appoint, subject to the approval of the President, a national coordinator of refining operations, in order that the allocations made by district allocators to refiners operating refineries and/or maintaining gasoline inventories in more than one refining district may be adjusted equitably to meet the consolidated requirements of such refiners. The national coordinator shall determine the interregional adjustments in district allocations which may be necessary to effectuate the required coordination, provided that interregional adjustments shall be made in such manner that the relationship between inventories of motor fuel and sales thereof and/or the production of motor fuel shall conform in the aggregate to the determination made by the Federal Agency under Section 1 above and in such manner that, in any refining district, an unbalanced accumulation of inventories of motor fuel and the surplus production and

consequent distribution of motor fuel in excess of market requirements may be prevented.

5592 The district allocators shall meet with the national coordinator at such times and places as may prove necessary to provide the necessary coordination between districts and the uniform application in each district of the rules and regulations provided for in Section 2 and other provisions of this Article. Each district allocator shall furnish to the national coordinator a complete statement of the allocations made to each refinery in the district and shall furnish such regular reports as may be required by the national coordinator for the proper performance of his duties. No withdrawals from storage by or on behalf of refiners operating refineries and/or maintaining crude oil inventories in more than one refining district shall be authorized under the terms of Article III, Section 2 hereof and/or rules and regulations issued thereunder unless the application has been referred to the national coordinator and by him to the district allocators concerned.

Section 4. In order that the provisions of this Article may not operate in such manner as to discriminate against small refining enterprises and in order to assist in the orderly liquidation of excessive gasoline inventories, the Planning and Coordination Committee shall appoint, with the approval of the President, a committee of five to be known as the Gasoline Equalization Committee. This Committee is authorized to purchase from non-integrated and/or semi-integrated refiners within such limitations and under such rules and regulations as may be approved by the President, such quantities of gasoline as, according to such rules and regulations, constitute surplus production and/or unbalanced accumulation of inventories. The Gasoline Equalization Committee is authorized to appoint a manager, employ such assistants as may be necessary, and arrange in an equitable manner for the financing of such gasoline purchases.

Section 5. Upon a determination that an excessive supply of motor fuel or an unbalanced accumulation of inventories of motor fuel exists in any district, which excessive supply and/or excessive accumulation of inventories injuriously affects interstate and foreign commerce and is such that any remedy must incidentally apply in like manner to intrastate commerce, or upon a determination that any refiner knowingly and wilfully has failed to conduct his refining operations in accordance with the allocations made under the provisions of Section 2 above, the district

allocator, with the approval of the Planning and Coordination Committee, may establish fair and equitable quotas for motor fuel to be moved from all or any of the refineries or other sources of supply in the district. Such quotas shall be in accord with such rules and regulations as are promulgated by the Planning and Coordination Committee under Section 2 above.

While such quotas are in effect no person shall place in commerce or receive in commerce by sale, exchange, consignment, or otherwise, any motor fuel in excess of the quota prescribed. Before establishing quotas for motor fuel
5593 hereunder, the Board of Review and the district allocator shall jointly hold or cause to be held hearings with respect to the establishment of such quotas and to such other matters as in the opinion of the Committee may be proper, after such reasonable public notice as may be prescribed provided, however, that in any emergency as determined to exist by the Committee quotas may be established for a temporary period not to exceed one calendar month without previous notice or hearing, but in such event, the Committee in the next subsequent period shall adjust quotas so allocated upon the basis of due notice and hearing hereinabove prescribed, so as to prevent any inequitable allocation.

To aid the enforcement of this section, the Planning and Coordination Committee, upon request therefor being made by the district allocator, may issue and furnish to refiners serially numbered certificates in proper denominations and quantities for the movement of motor fuel from refineries or other designated sources of supply. Such certificates in totals corresponding to the estimated motor fuel movements of the respective refineries, whether in commerce or to storage, for such periods as the Committee may fix, shall be delivered and charged to the respective refiners in advance of the periods of their use. After the establishment of such quotas no person shall ship or cause to be moved, and no carrier, purchaser or other person shall transport or receive, from any refinery or other designated source of supply any motor fuel, except when such certificates for the corresponding quantity are used and cancelled. When shipment is made under bill of lading or shipping receipt the certificates shall be affixed to such document. In every other case the person making shipment or delivery shall issue to the carrier, purchaser or other original recipient of the goods a true memorandum of the quantity and affix the certificates to the memorandum. Cancellation of cer-

tificates shall be made by the carrier, purchaser or other original recipient of the goods. No cancelled or once-used certificate shall be used again, and at the request of the Committee or of the district allocator at any time, true reports shall be made by refiners of the quantity represented by unused certificates on hand.

The Committee may make such rules and regulations and require such sworn reports as the Committee may deem necessary to accomplish the purposes of this section.

Failure on the part of any person to observe or comply with any provision of this section or any valid order, rule or regulation hereunder shall constitute a violation of the Code.

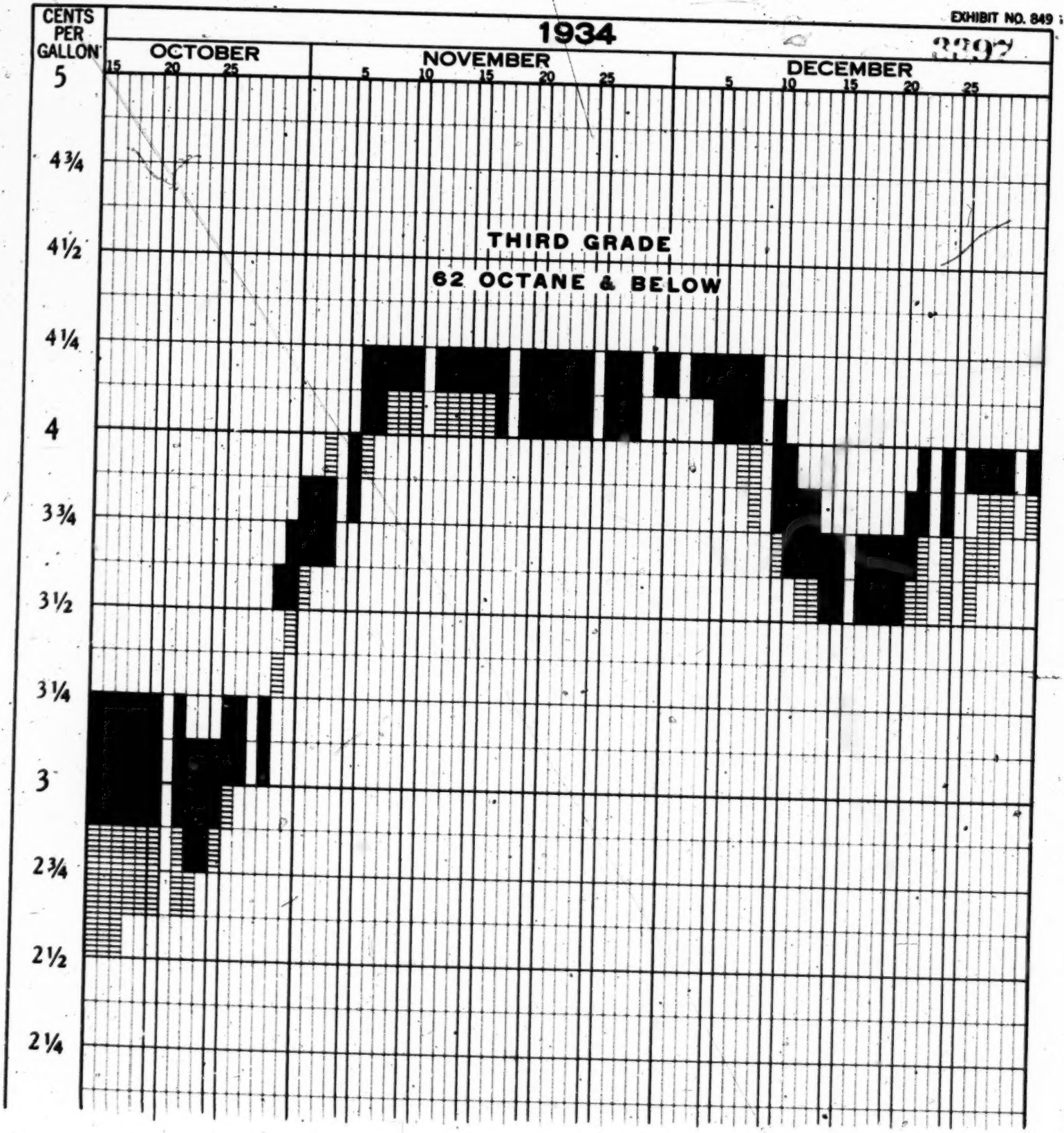
P. N. 83317

5594 **DEFENSE EXHIBIT NO. 849.**

For Identification

Composite Price Chart for October, November and December 1934, inserted.

EXHIBIT NO. 849 (a).



5596 **DEFENSE EXHIBIT NO. 850.**

(Certified by the Department of the Interior to be copy of duplicate original of a letter dated August 23, 1935, signed by Harold L. Ickes and sent to John E. Shatford.)

Letterhead of Administrator for the Petroleum Industry,
Washington, D. C.

Aug 23 1935

Mr. John E. Shatford,
414 Armstrong Building,
El Dorado, Arkansas.

My dear Mr. Shatford:

I appreciate your letter of August 12 and thank you for it. I value your letter particularly because you were one of the members of the Planning and Coordination Committee who from the time of your appointment devoted practically all of your time to the duties of the Committee and you were in a position very closely to observe and appraise the administration of the Code. It turned out that one of the most successful features of the Code was the Refinery Amendment approved in the Spring of 1934, and this Amendment and the success achieved under it were in large part due to your advocacy of its formulation.

Sincerely yours,
(Sgd.) Harold L. Ickes
Administrator.

5597 **DEFENSE EXHIBIT NO. 852.**

5598 **The Pure Oil Company**

Crude Oil Required to Supply Gasoline Sales
(Quantities in 42 Gallon Barrels)

Year and Month	Net Crude Oil Produced and Refined by Pure	Crude Oil Required to Supply Gasoline Sales
1934		
Nov.	1,327,457	2,463,852
Dec.	1,999,117	2,191,580
1935		
Jan.	1,842,305	2,189,342
Feb.	1,770,790	1,840,808
Mar.	1,953,806	2,463,104
Apr.	1,914,321	2,346,206
May	2,015,450	2,688,227
June	1,946,623	2,500,815
July	2,010,375	2,879,059
Aug.	1,896,794	2,783,466
Sept.	1,843,820	2,564,504
Oct.	1,952,418	2,729,147
Nov.	1,906,678	2,642,983
Dec.	1,903,029	2,388,269
1936		
Jan.	1,771,076	2,381,913
Feb.	1,724,424	2,210,146
Mar.	1,804,974	2,798,040
Apr.	1,744,441	2,646,071
May	1,813,757	2,946,459
June	1,720,064	2,926,957
July	1,713,264	3,217,126
Aug.	1,677,811	2,944,190
Sept.	1,559,771	2,978,540
Oct.	1,701,930	2,963,477
Nov.	1,509,695	2,996,222
Dec.	1,672,630	2,727,361

5599 **DEFENSE EXHIBIT NO. 853.**

5600 **The Pure Oil Company**

10-27-37

Gasoline Obtained by Pure from Sources Other Than Its Own Refineries by Months from January 1934 to December 1936 Inclusive (Quantities in Gallons)

Year and Month	Gasoline Purchased By Pure From Other Than Independent Refiners in East Texas and Mid-Continent Areas	Gasoline Purchased By Pure From Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Acquired By Pure Through Processing Contracts With Other Refiners	Total
1934					
Jan.	1,514,072	8,068	1,522,140		1,522,140
Feb.	841,131		841,131		841,131
Mar.	735,915	32,521	768,436		768,436
Apr.	234,856	32,257	267,113		267,113
May	674,565	825,445	1,500,010		1,500,010
June	484,529	40,704	525,233		525,233
July	938,791	544,145	1,482,936		1,482,936
Aug.	1,653,266	669,722	2,322,988		2,322,988
Sept.	1,694,378	780,576	2,474,954		2,474,954
Oct.	3,731,687	480,989	4,212,676		4,212,676
Nov.	1,775,404	123,036	1,898,440		1,898,440
Dec.	4,145,199	81,887	4,227,086		4,227,086
1935					
Jan.	1,026,920	8,110	1,035,030		1,035,030
Feb.	856,025		856,025	2,115,647	2,971,672
Mar.	2,167,435	242,551	2,409,986	4,501,704	6,911,690
Apr.	1,157,697	636,813	1,794,510	5,393,629	7,188,139
May	1,135,257	872,437	2,007,694	6,119,108	8,126,802
June	1,628,968	1,528,175	3,157,143	7,710,789	10,867,932
July	2,497,137	1,328,734	3,825,871	4,550,929	8,376,800
Aug.	1,928,425	1,081,632	3,010,057	6,952,429	9,962,486
Sept.	1,564,153	1,344,700	2,908,853	4,226,633	7,135,486
Oct.	2,227,141	969,747	3,196,888	6,642,940	9,839,828
Nov.	1,594,900	1,055,695	2,650,595	5,418,416	8,069,011
Dec.	1,122,406	1,270,911	2,393,317	6,005,012	8,398,329

5601

1936

Jan.	1,577,008	1,423,275	3,000,278	3,742,573	6,742,851
Feb.	703,244	1,820,103	2,523,347	5,635,198	8,158,545
Mar.	2,174,751	1,596,470	3,771,221	4,462,048	8,233,269
Apr.	1,187,096	1,791,239	2,978,335	8,843,131	11,821,466
May	1,912,512	1,270,170	3,182,682	6,220,391	9,403,073
June	2,001,227	1,383,111	3,384,338	7,729,614	11,113,952
July	2,233,115	1,372,273	3,605,388	5,699,584	9,304,972
Aug.	2,086,303	1,274,808	3,361,111	8,852,269	12,213,380
Sept.	2,549,435	1,301,298	3,850,733	9,921,507	13,772,240
Oct.	2,319,831	1,281,613	3,601,444	6,528,913	10,130,357
Nov.	2,379,260	1,208,308	3,587,568	5,140,411	8,727,979
Dec.	2,081,308	1,197,231	3,278,539	6,274,552	9,553,091

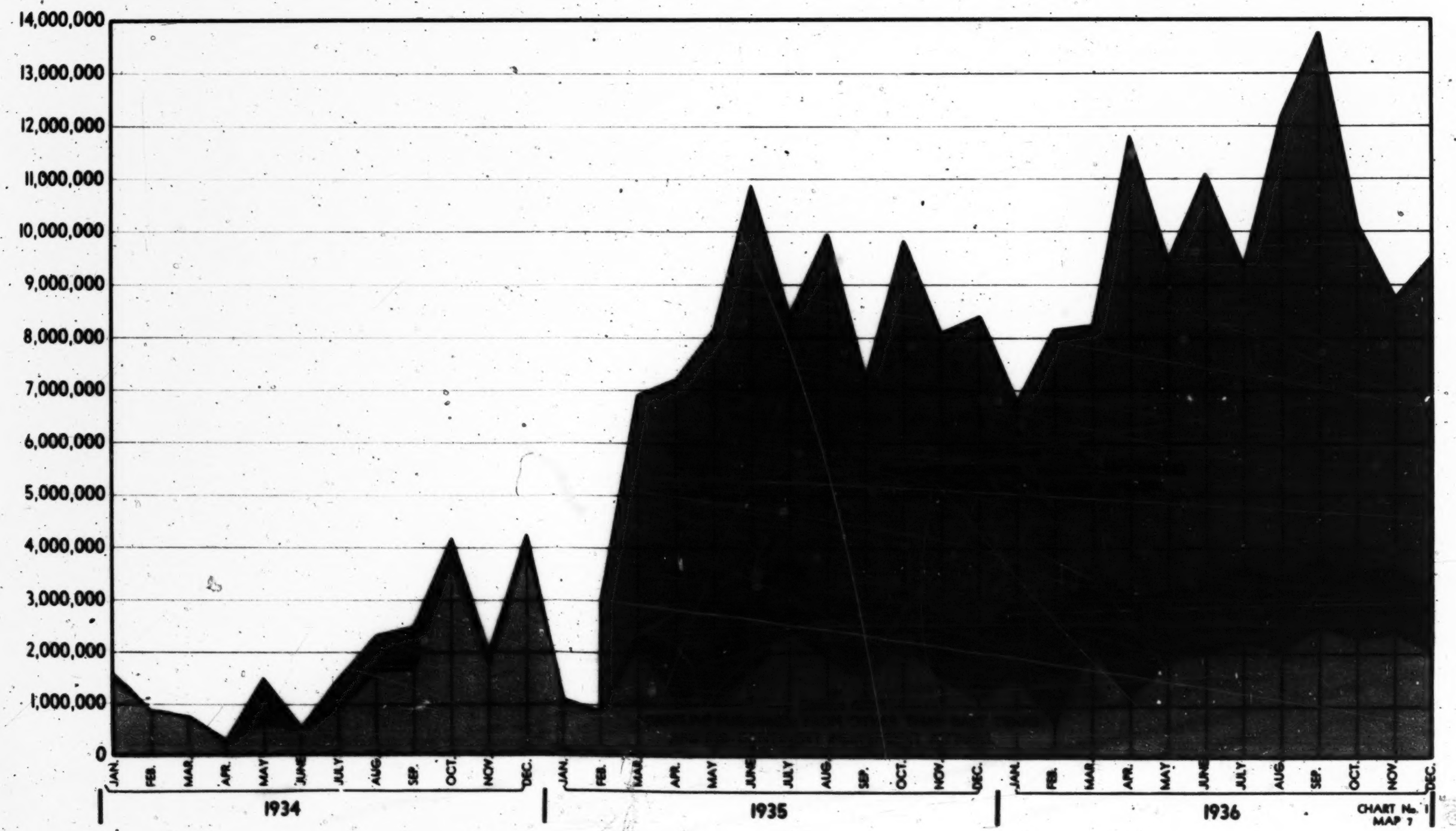

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CHART No. 1
MAP 7

DEFENSE EXHIBIT NO. 854.

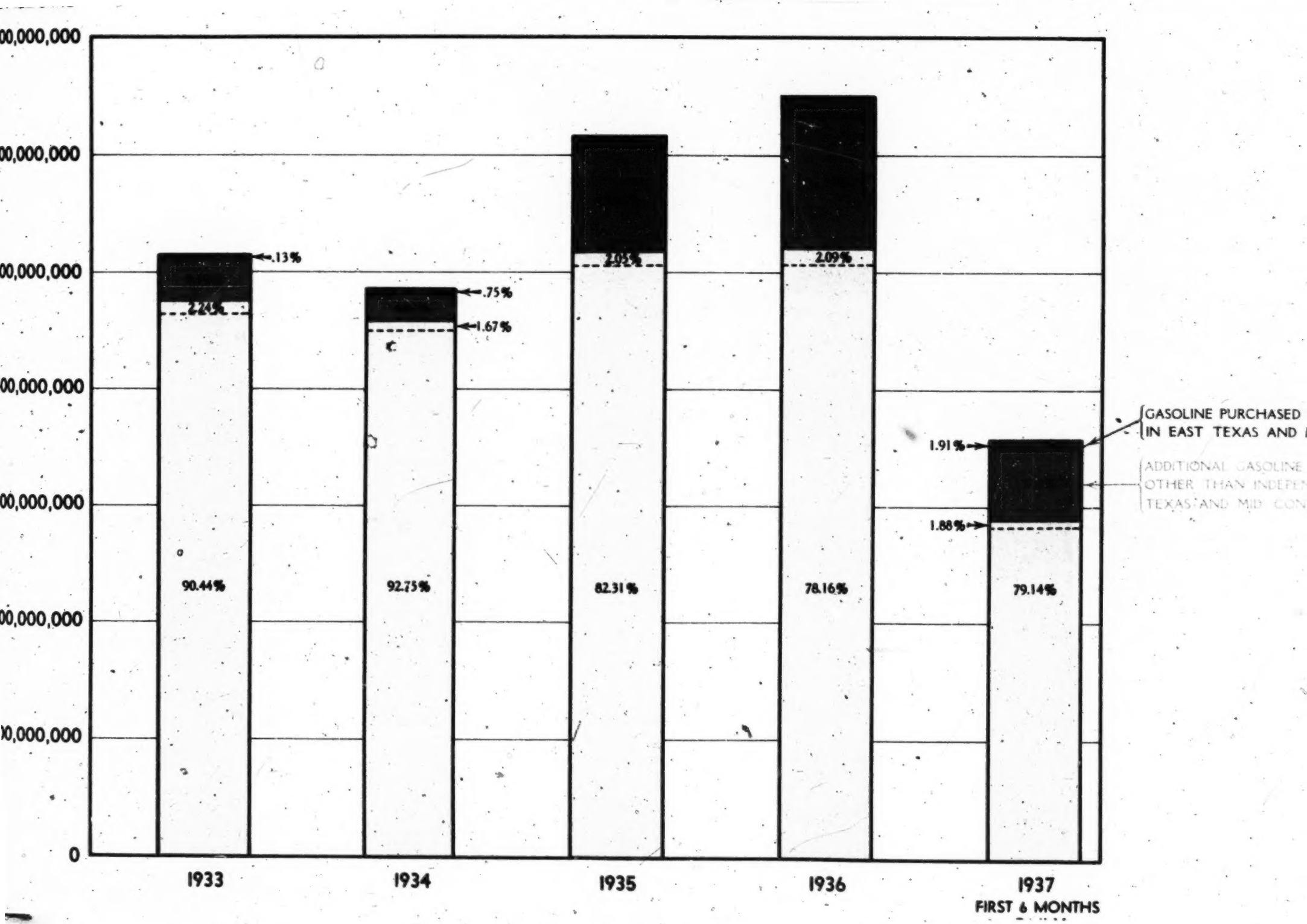
THE PURE OIL COMPANY

Source of Gasoline Supply
(Quantities Shown in Gallons and Percent of Total)

	Pure's Own Manufactured Gasoline From Crude Oil	Pure's Own Manufactured Gasoline From Natural Gasoline	Total	Additional Gasoline Acquired from Sources Other Than Independent Refiners in East Texas and Mid-Continent Areas	Total	Gasoline Purchased From Independent Refiners in East Texas and Mid-Continent Areas	Total
1933	465,759,333	11,509,539	477,268,872	37,050,570	514,319,442	647,766	514,967,208
	90.44	2.24	92.68	7.19	99.87	.13	100.00
1934	450,150,689	8,092,619	458,243,308	23,462,532	481,705,840	3,619,350	485,325,190
	92.75	1.67	94.42	4.83	99.25	.75	100.00
1935	506,983,545	12,615,286	519,598,831	86,002,148	605,600,979	10,339,505	615,940,484
	82.31	2.05	84.36	13.96	98.32	1.68	100.00
1936	507,931,344	13,576,103	521,507,447	111,435,636	632,943,083	16,919,899	649,862,982
	78.16	2.09	80.25	17.15	97.40	2.60	100.00
1937	283,283,090	6,729,730	290,012,820	61,130,490	351,143,310	6,828,864	357,972,174
	79.14	1.88	81.02	17.07	98.09	1.91	100.00

(Jan. thru June)

Defense Exhibit No. 854.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79.14%
GASOLINE PURCHASED
IN EAST TEXAS AND
1933
1934
1935
1936
1937
FIRST 6 MONTHS

5606 **DEFENSE EXHIBIT NO. 855.**

5607 **The Pure Oil Company**

Comparison Between Pure's Total Gasoline Supply and Total Gasoline Supply for the Oil Industry in the United States

Days Supply

	Pure's Total Gasoline Supply at First of Each Month	Total Gasoline Supply for the Oil Industry in the United States at First of Each Month
1934		
November	23.14	41.80
December	24.64	46.82
1935		
January	29.51	52.80
February	30.97	54.71
March	32.56	53.89
April	30.62	50.73
May	30.95	47.18
June	31.01	43.83
July	31.54	40.82
August	30.49	38.57
September	33.12	37.38
October	32.29	36.16
November	36.24	38.03
December	38.98	42.60
1936		
January	45.83	50.44
February	50.19	54.62
March	50.96	54.06
April	47.25	51.03
May	44.89	48.20
June	40.19	44.81
July	37.26	42.09
August	33.20	39.51
September	30.50	37.86
October	30.72	37.77
November	28.43	39.92
December	28.50	43.82

5608 **DEFENSE EXHIBIT NO. 856.**

COMPOSITE OF
PRICE QUOTATIONS
PLATT'S OILGRAM OKLAHOMA REFINERY MARKET
AND
CHICAGO JOURNAL OF COMMERCE [illegible] O. B. GROUP 3

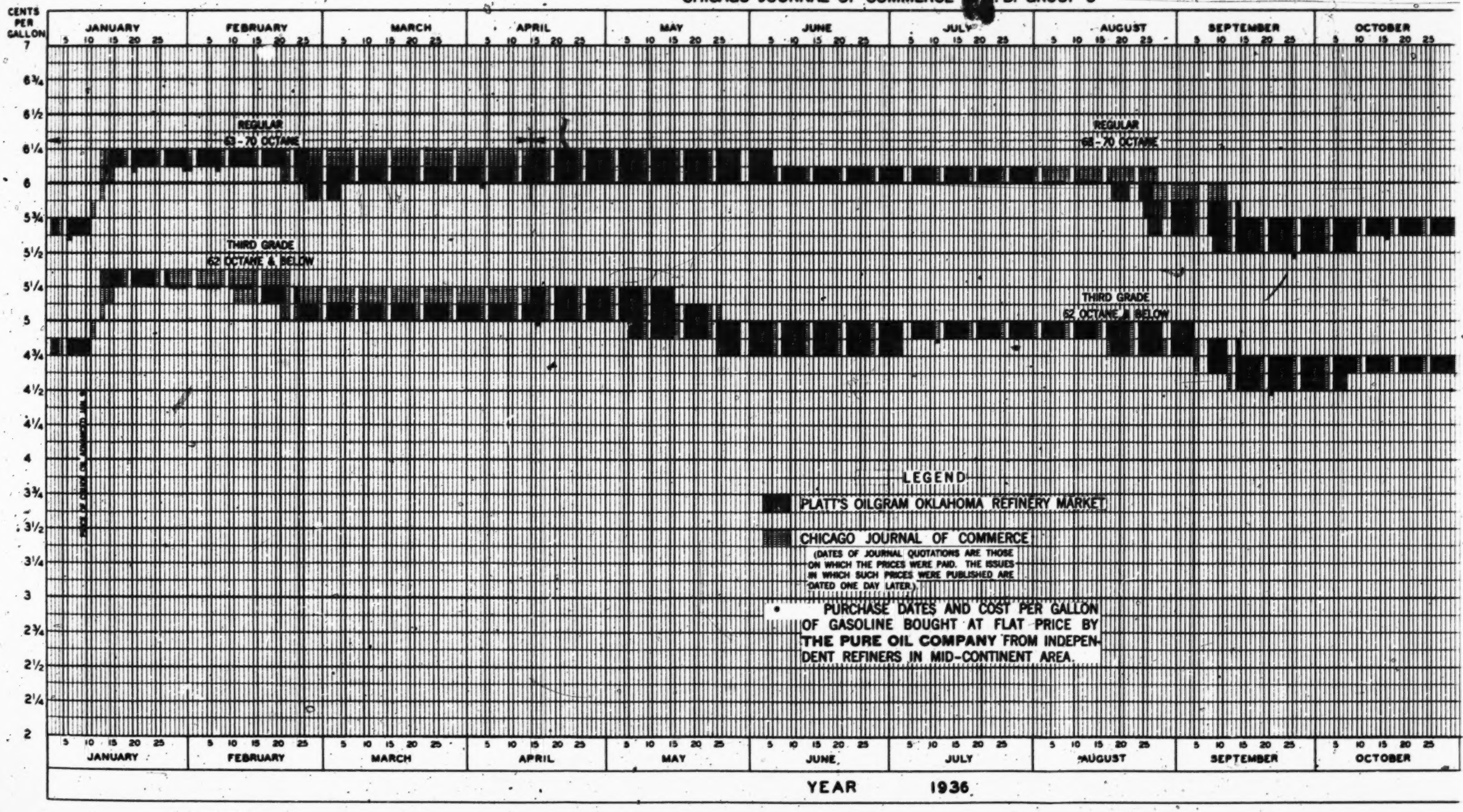
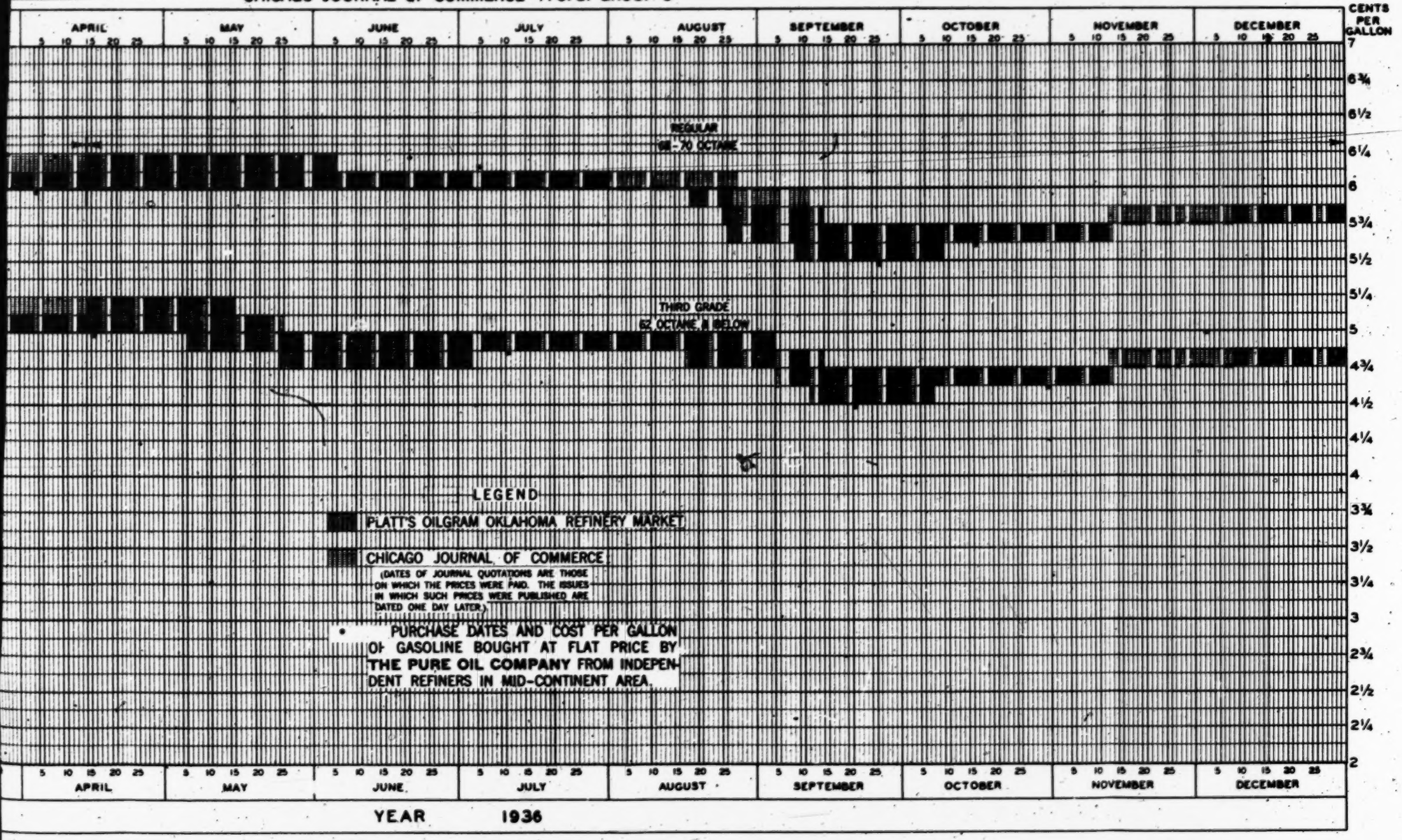


EXHIBIT NO. 856

3413

COMPOSITE OF PRICE QUOTATIONS
PLATT'S OILGRAM OKLAHOMA REFINERY MARKET AND CHICAGO JOURNAL OF COMMERCE F.O.B. GROUP 3

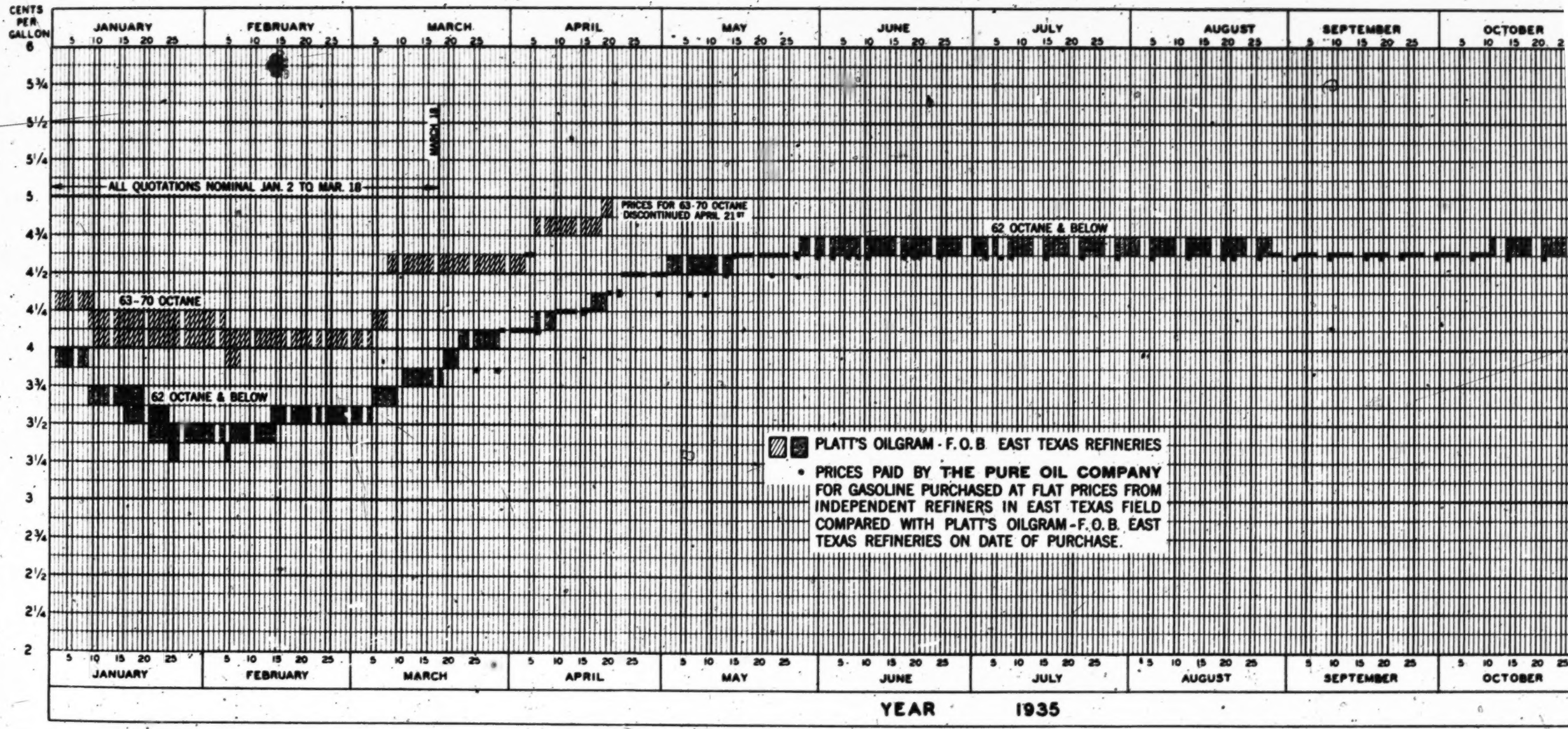


YEAR 1936

CHART No. XII D-1936

PLATT'S OILGRAM

F. O. B. EAST TEXAS REFINERIES



Hayton

AUDITED: L B Meenan 10-8-37

EXHIBIT NO. 857

PLATT'S OILGRAM

F. O. B. EAST TEXAS REFINERIES

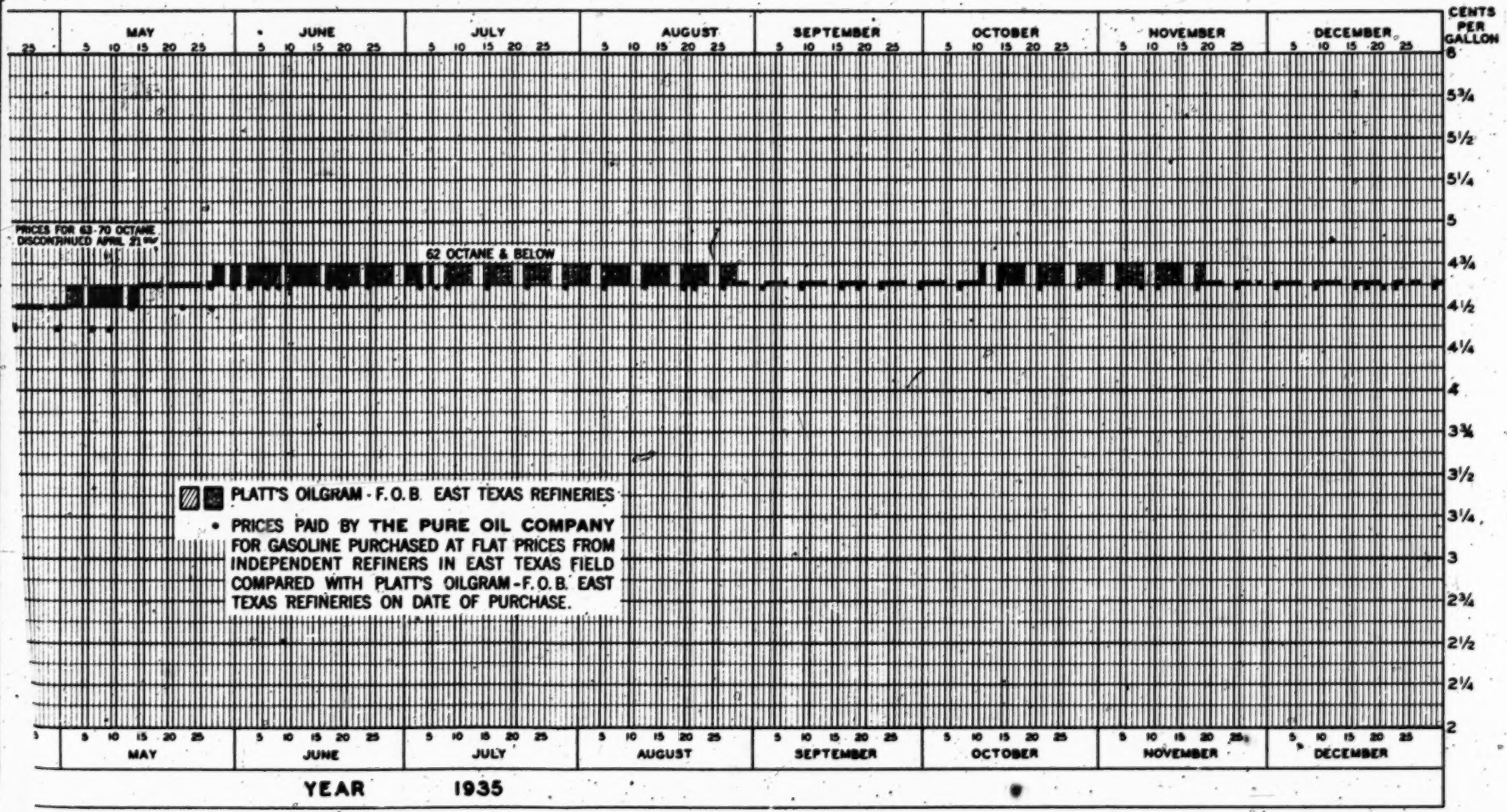
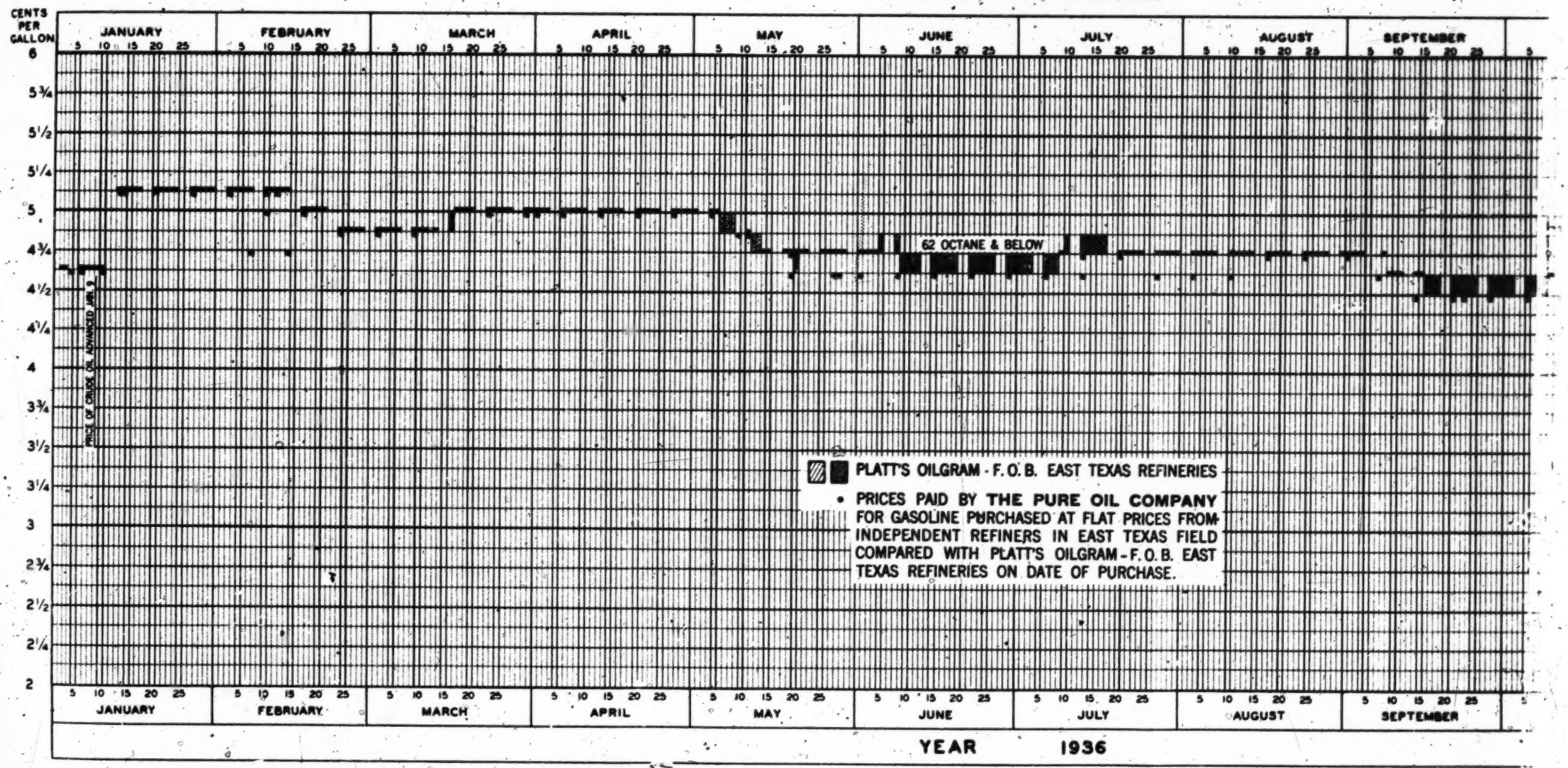


CHART No. XII B-3

PLATT'S OILGRAM

F. O. B. EAST TEXAS REFINERIES



Horton

AUDITED: L J Meenan 10-8-37

3421

EXHIBIT NO. 858

PLATT'S OILGRAM

F. O. B. EAST TEXAS REFINERIES

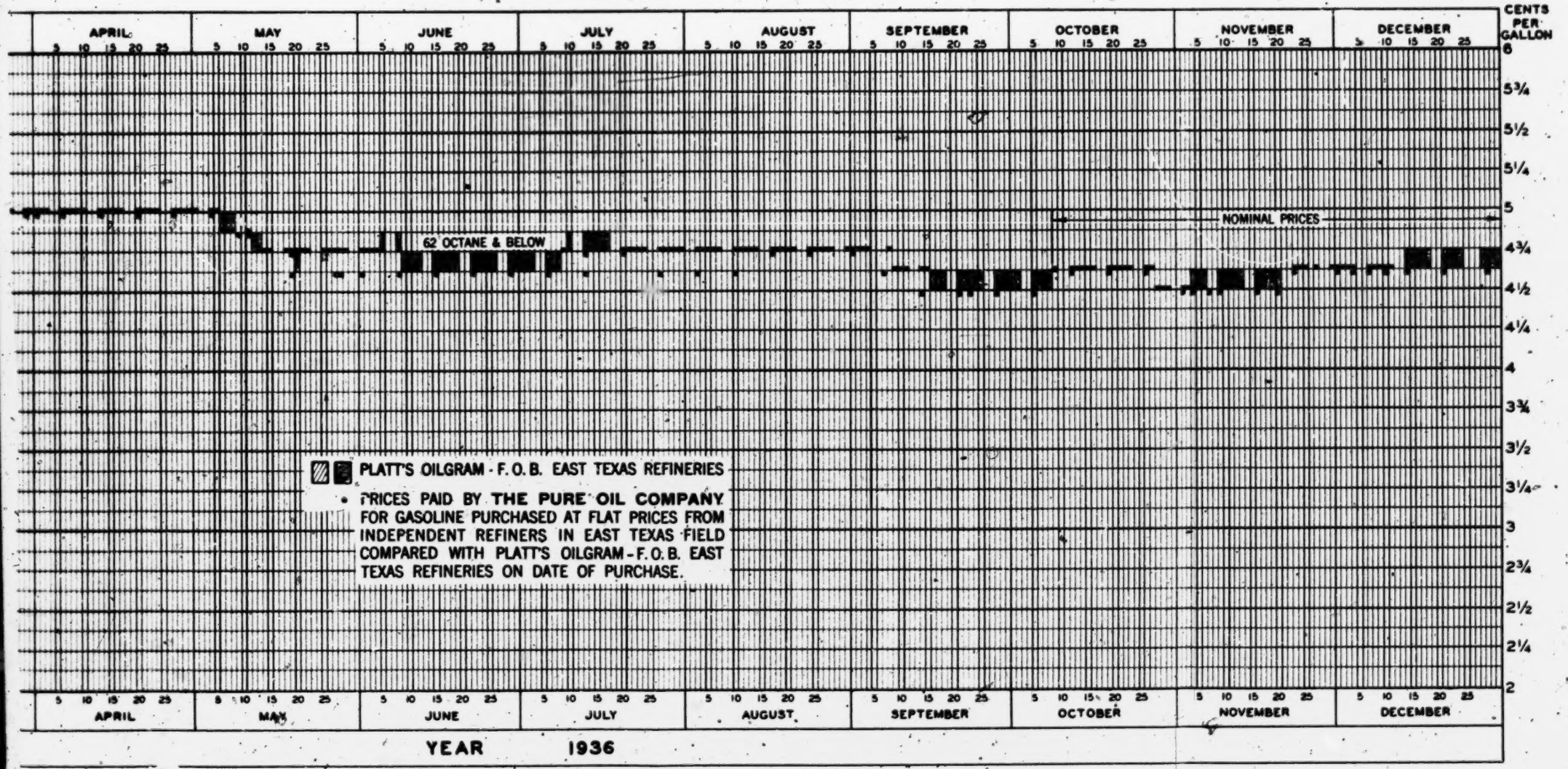


CHART No. XII B-6

10-8-37

1931 1932 1933 1934 1935

PETROLEUM CODE ANNOUNCED BY THE PRESIDENT - AUG. 19, 1933

CODE AMENDED BY ADMINISTRATOR JAN 26, 1934 - TO PROVIDE FOR CONTROL OF RETROACTIVE MANUFACTURE AND PURCHASE OF SURPLUS GASOLINE

OCT 22, 1934

FEDERAL TENDER BOARD FUNCTIONED

JAN 15, 1935 SUPREME COURT DECISION PANAMA CASE

FEB 15, 1935 CONNALLY HOT OIL LAW PASSED

FEDERAL TENDER

GASOLINE MANUFACTURE CONTROLLED BY FEDERAL ALLOCATIONS

APR 30, 1934

MAY 27, 1935 SUPREME COURT DECISION INVALIDATING N.R.A. LAW

INVENTORIES

SALES

MANUFACTURE

REFINED GASOLINE

CONTRACT
OTHER R

90 85 80 75 70 65 60 55 50 45 40 35 30 25 20 15 10 5 0

JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG

1932 1933 1934 1935 1936

PETROLEUM CODE APPROVED BY THE PRESIDENT - AUG. 19, 1933

CODE AMENDED BY ADMINISTRATOR APR 28, 1934 - TO PROVIDE FOR CONTROL OF REFINERY MANUFACTURE AND PURCHASE OF SURPLUS GASOLINE

FEDERAL TENDER BOARD FUNCTIONED

OCT 22, 1934

JAN 7, 1935 SUPREME COURT DECISION PANAMA CASE

FEB 22, 1935 CONNALLY HOT OIL LAW PASSED

FEDERAL TENDER BOARD FUNCTIONED

GASOLINE MANUFACTURE CONTROLLED BY FEDERAL ALLOCATIONS

APR 24, 1934

MAY 27, 1935 SUPREME COURT DECISION INVALIDATING N.R.A. LAW

INVENTORIES

SALES

MANUFACTURE

REFINED GASOLINE

CONTRACT PROCESSING OTHER REFINERS

90 85 80 75 70 65 60 55 50 45 40 35 30 25 20 15 10 5 0

JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR

5616 **DEFENSE EXHIBIT NO. 864.**

5617 It is hereby stipulated that Mason Lyons, Assistant Secretary of Vickers Petroleum Company of Wichita, Kansas, if called as a witness in the above entitled action, would testify that the quantities of gasoline manufactured and sold by Vickers Petroleum Company by months from January 1, 1934 to December 31, 1936 inclusive, as reflected by the books and records of Vickers Petroleum Company, are as set forth in Exhibit A hereto annexed.

As so stipulated, said figures are received in evidence in the above entitled action without objection.

It is further stipulated that the crude capacity of Vickers Petroleum Company from 1931-1936 inclusive was 4000 barrels a day.

5618

EXHIBIT A

VICKERS PETROLEUM COMPANY

Summary of Gasoline Production and Sales (in Barrels) By Months for Years 1934, 1935 and 1936

	Made	Purchases of Blending Stock	Total Gasoline Production	Sales of Gasoline
1934:				
January	34,423.13	5,243.52	39,666.65	44,713.65
February	38,348.48	4,625.90	42,974.38	35,850.38
March	33,072.35	6,260.55	39,332.90	44,478.90
April	37,660.83	5,978.81	43,639.64	39,426.64
May	35,678.90	4,780.38	40,459.28	41,377.28
June	38,124.95	3,914.79	42,039.74	38,525.74
July	37,556.21	5,726.26	43,282.47	44,120.47
August	35,210.31	6,837.90	42,048.21	46,995.21
September	36,963.61	6,498.48	43,462.09	43,192.09
October	34,291.66	6,249.26	40,540.92	42,559.92
November	34,561.74	5,155.00	39,716.74	32,678.74
December	26,772.74	4,682.00	31,454.74	32,101.74
Closing Adjustment	3.66	(.02)	3.64	3.64
Total, 1934	422,668.57	65,952.83	488,621.40	486,024.40
1935:				
January	34,079.55	5,276.33	39,355.88	39,167.88
February	37,095.22	5,261.80	42,357.02	46,689.02
March	35,443.63	5,836.55	41,280.18	39,756.18
April	39,033.14	6,362.14	45,395.28	38,955.28
May	40,907.84	5,684.67	46,592.51	49,768.51
June	45,965.18	6,055.60	52,020.78	52,658.78
July	62,440.02	8,236.93	70,676.95	70,271.95
August	54,714.79	7,206.19	61,920.98	61,549.98
September	45,305.52	6,516.62	51,822.14	52,152.14
October	48,335.95	4,927.43	53,263.38	54,660.38
November	35,632.47	3,771.86	39,404.33	39,896.33
December	44,101.28	4,558.00	48,659.28	42,643.28
Closing Adjustment	(39.23)	(23.72)	(62.95)	(61.95)
Total, 1935	523,015.36	69,670.40	592,685.76	588,107.76
1936:				
January	38,275.95	3,133.98	41,409.93	37,246.93
February	24,400.91	2,506.31	26,907.22	29,039.22
March	37,453.31	4,985.52	42,438.83	48,289.83
April	33,686.44	10,121.84	43,808.28	50,833.28
May	46,514.31	10,924.14	57,438.45	56,773.45
June	55,818.45	12,493.90	68,312.35	69,287.35
July	68,886.78	5,768.57	74,655.35	64,506.35
August	53,596.41	5,456.23	59,052.64	59,485.64
September	51,094.97	6,847.05	57,942.02	61,179.02
October	50,982.98	5,027.28	56,010.26	53,714.16
November	40,255.19	5,101.00	45,356.19	44,888.19
December	37,254.13	4,705.60	41,959.73	45,132.73
Closing Adjustment	.39	.46	.85	.95
Total, 1936	538,220.22	77,071.88	615,292.10	620,477.10
19				
	SUMMARY			
34	422,668.57	65,952.83	488,621.40	486,024.40
35	523,015.36	69,670.40	592,685.76	588,107.76
36	538,220.22	77,071.88	615,292.10	620,477.10
	1,483,904.15	212,695.11	1,696,599.26	1,694,609.26

5620

DEFENSE EXHIBIT NO. 865.

5621

ROOT PETROLEUM COMPANY
Shreveport, La.

Summary of Gasoline Sales for the Period January 1, 1934 to Dec. 31, 1936

	1934		1935		1936	
	Gallons	Barrels of 42 Gallons	Gallons	Barrels of 42 Gallons	Gallons	Barrels of 42 Gallons
Jan.	3,729,870	88,806	4,533,339	107,937	3,582,533	85,298
Feb.	3,075,549	73,227	4,425,587	105,371	2,563,137	61,027
Mar.	3,686,042	87,763	4,582,890	109,116	3,976,692	94,683
Apr.	3,720,061	88,573	3,673,732	87,470	3,727,483	88,749
May	4,602,466	109,583	3,993,016	95,072	4,008,573	95,442
June	4,281,791	101,947	4,458,856	106,163	3,882,353	92,437
July	4,616,149	109,908	4,675,079	111,311	4,407,903	104,950
Aug.	4,349,638	103,563	5,234,856	124,639	5,370,316	127,865
Sept.	4,717,749	112,327	4,694,236	111,768	4,869,702	115,945
Oct.	4,698,301	111,864	4,062,374	96,723	4,473,981	106,523
Nov.	4,281,927	101,951	4,089,072	97,359	4,514,753	107,494
Dec.	4,295,827	102,281	4,162,849	99,115	5,095,632	121,325
Totals	50,055,370	1,191,793	52,585,886	1,252,044	50,473,058	1,201,738

Summary of Gasoline Produced for the Period January 1, 1934 to December 31, 1936

	1934		1935		1936	
	Gallons	Barrels of 42 Gallons	Gallons	Barrels of 42 Gallons	Gallons	Barrels of 42 Gallons
Jan.	3,746,316	89,198	4,490,094	106,907	4,457,628	106,134
Feb.	3,061,884	72,902	4,857,678	115,659	4,201,134	100,027
Mar.	3,351,642	79,801	3,569,034	84,977	4,046,658	96,349
Apr.	3,796,716	90,398	5,003,754	119,137	4,073,328	96,984
May	4,275,894	101,807	4,234,566	100,823	4,111,548	97,894
June	3,800,160	90,480	4,077,276	97,078	4,549,230	108,315
July	4,208,652	100,206	3,890,334	92,627	4,271,274	101,697
Aug.	3,902,976	92,928	4,641,420	110,510	4,200,588	100,014
Sept.	3,919,398	93,319	4,489,506	106,893	4,253,592	101,276
Oct.	4,509,372	107,366	3,666,852	87,306	4,088,406	97,343
Nov.	4,569,054	108,787	4,261,698	101,469	4,348,890	103,545
Dec.	4,294,710	102,255	4,503,912	107,236	4,819,500	114,750
Totals	47,436,774	1,129,447	51,686,124	1,230,622	51,421,776	1,224,328

5622 **DEFENSE EXHIBIT NO. 866.**

5623 **ANDERSON-PRICHARD REFINING CORPORATION**

Production and Sales of Gasoline

	1934		1935		1936	
	Sales Bbls.	Prod. Bbls.	Sales Bbls.	Prod. Bbls.	Sales Bbls.	Prod. Bbls.
January	43,867	42,531	41,621	46,082	30,449	39,087
February	26,700	23,154	30,246	29,734	23,904	29,862
March	34,130	35,836	38,088	35,981	42,572	41,145
April	40,188	46,349	40,580	41,347	44,633	27,556
May	37,890	37,650	32,600	29,988	29,776	28,202
June	36,910	37,661	34,979	37,064	32,656	34,148
July	44,404	42,207	41,546	42,352	34,240	34,674
August	40,076	38,790	42,762	42,664	29,601	35,270
September	41,904	41,655	44,376	40,399	41,803	33,535
October	37,396	35,193	40,493	38,164	34,101	36,590
November	44,294	42,654	34,081	35,927	31,734	40,910
December	37,566	43,167	28,187	32,586	36,660	46,194
	465,325	466,847	449,559	452,488	412,129	427,173

5624 **DEFENSE EXHIBIT NO. 867.**

5625 **COL-TEX REFINING COMPANY**

Production and Sales of Gasoline

	1934		1935		1936	
	Sales Bbls.	Prod. Bbls.	Sales Bbls.	Prod. Bbls.	Sales Bbls.	Prod. Bbls.
January	106,783	73,955	85,980	81,291	99,669	138,428
February	75,726	79,823	82,565	96,749	68,216	82,866
March	83,497	86,606	141,043	104,436	94,239	75,898
April	89,517	82,139	132,273	120,206	133,698	114,252
May	93,638	101,555	126,031	124,814	139,225	126,535
June	94,688	79,380	117,809	118,640	134,438	115,439
July	94,965	93,154	135,585	133,281	133,169	123,223
August	88,729	101,812	135,788	127,724	126,239	127,986
September	87,089	93,743	117,107	120,340	118,872	127,581
October	108,278	100,611	134,227	143,189	126,220	145,322
November	90,094	85,407	107,284	102,977	129,028	106,358
December	75,247	87,232	98,544	125,058	117,200	131,679
	1,068,251	1,065,417	1,414,236	1,398,705	1,420,213	1,415,567

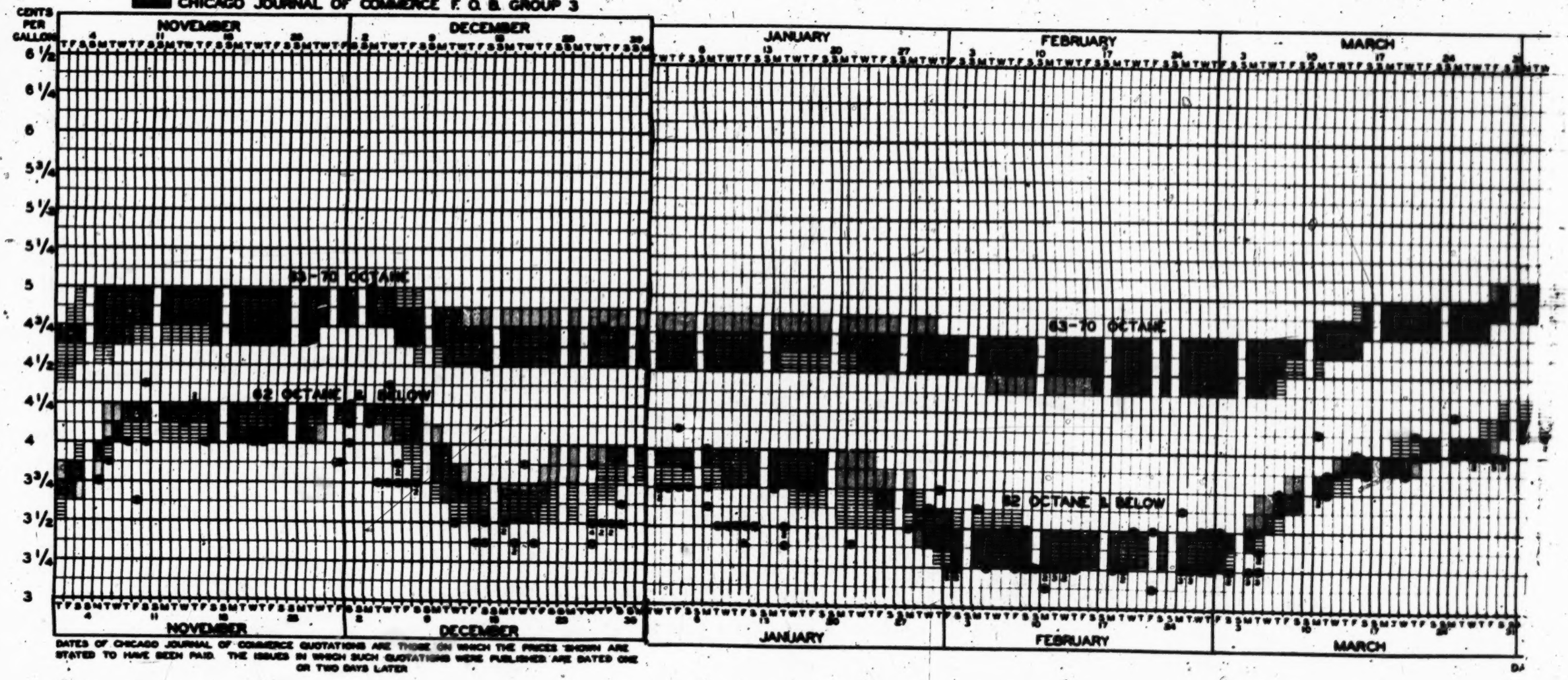
5626 **DEFENSE EXHIBIT NO. 868.**

COMPOSITE OF 1934 PRICE QUOTATIONS

PLATT'S OILGRAM OKLAHOMA REFINERY MARKET

AND

CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3

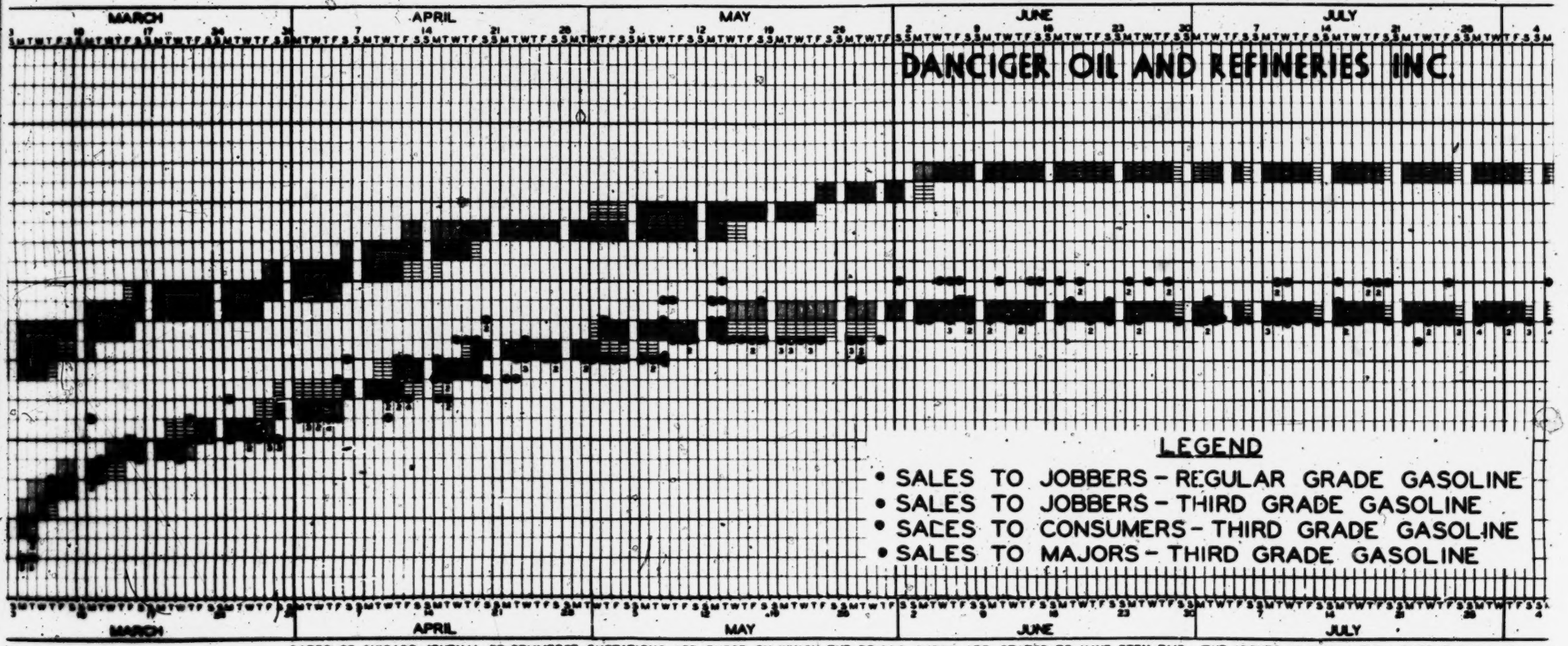


DATES OF CHICAGO JOURNAL OF COMMERCE QUOTATIONS ARE THOSE ON WHICH THE PRICES SHOWN ARE STATED TO HAVE BEEN PAID. THE ISSUES IN WHICH SUCH QUOTATIONS WERE PUBLISHED ARE DATED ONE OR TWO DAYS LATER

FLAT PRICE SALES TO JOBBERS, CONSUMERS & MAJOR

COMPOSITE OF 1935 PRICE QUOTATIONS

PLATT'S OILGRAM OKLAHOMA REFINERY MARKET & CHICAGO JOURNAL OF C

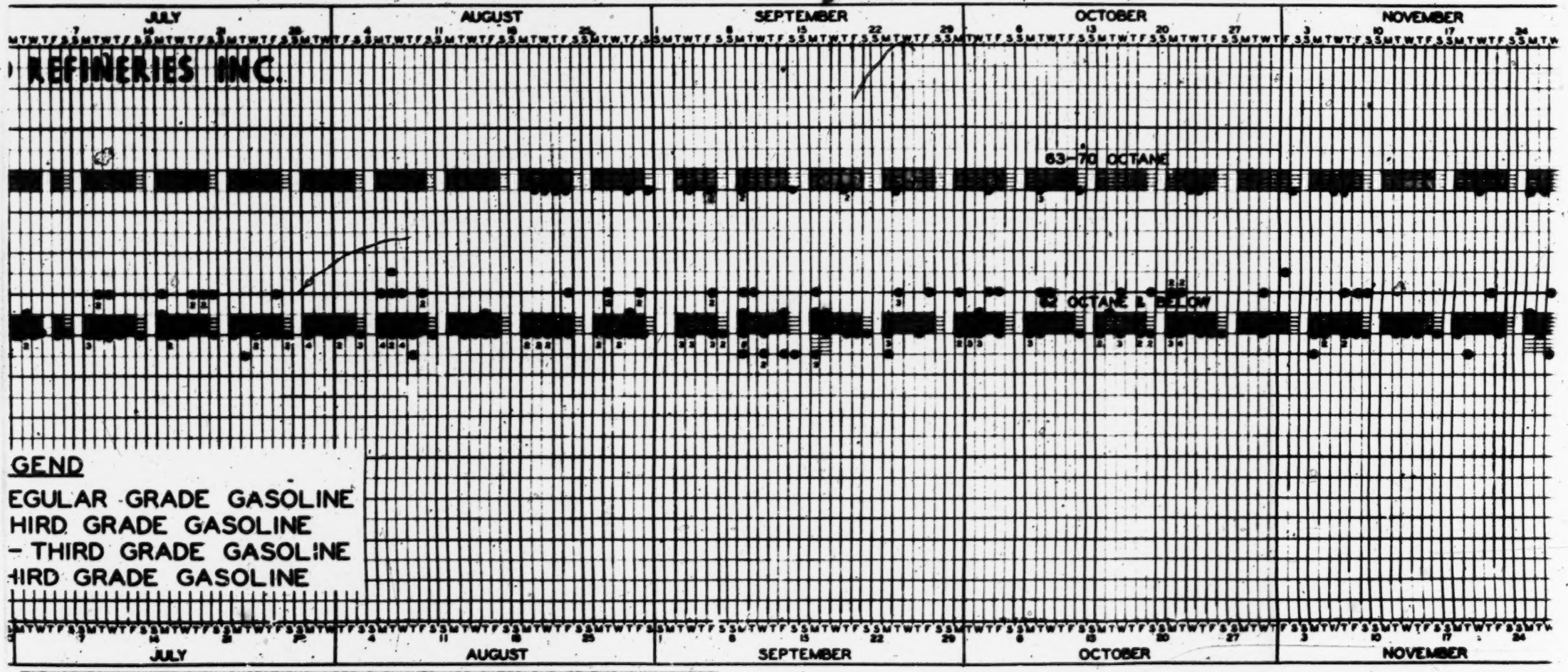


DATES OF CHICAGO JOURNAL OF COMMERCE QUOTATIONS ARE THOSE ON WHICH THE PRICES SHOWN ARE STATED TO HAVE BEEN PAID. THE ISSUES IN WHICH SUCH QUOTATIONS WERE PU

CONSUMERS & MAJOR COMPANIES

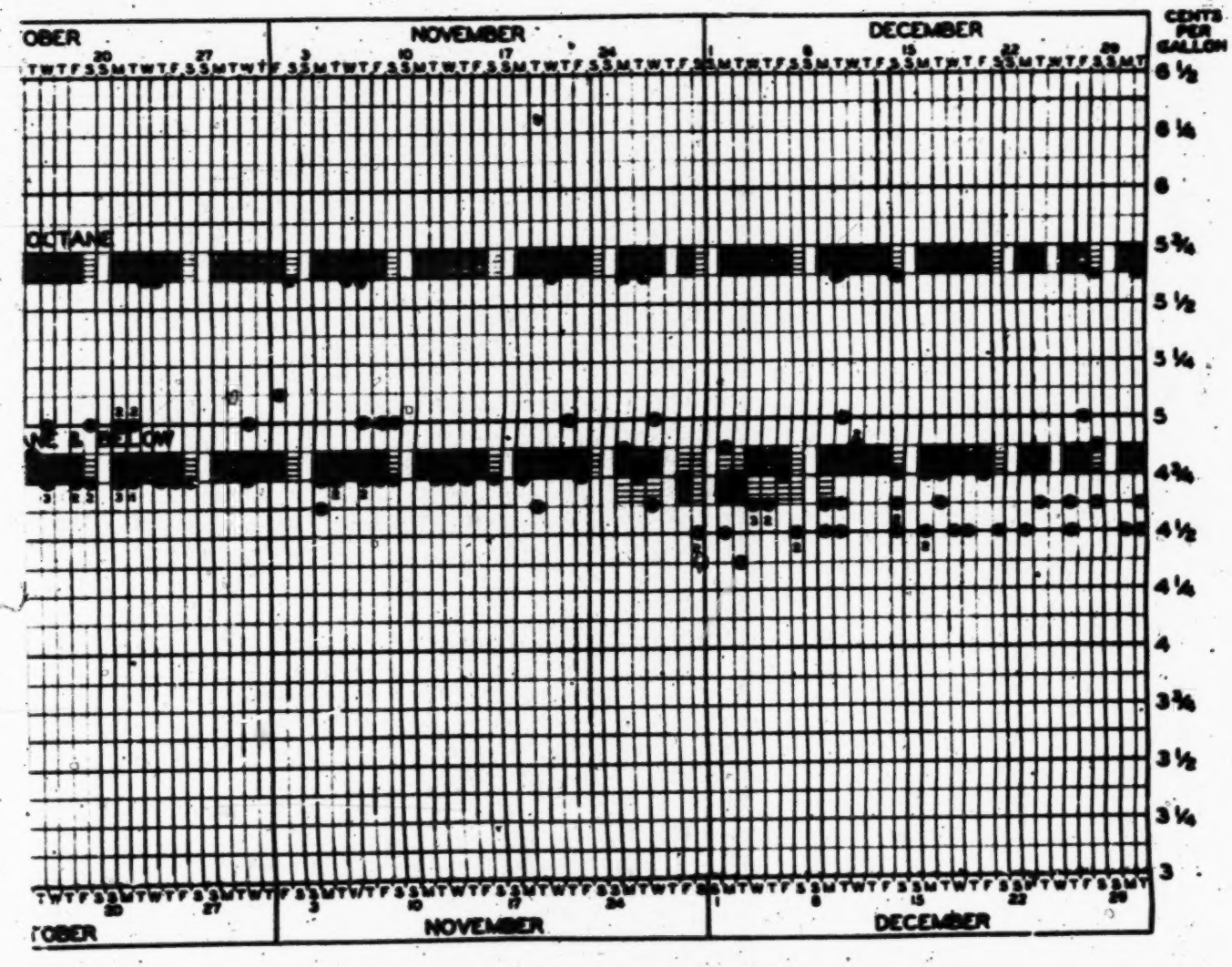
PRICE QUOTATIONS

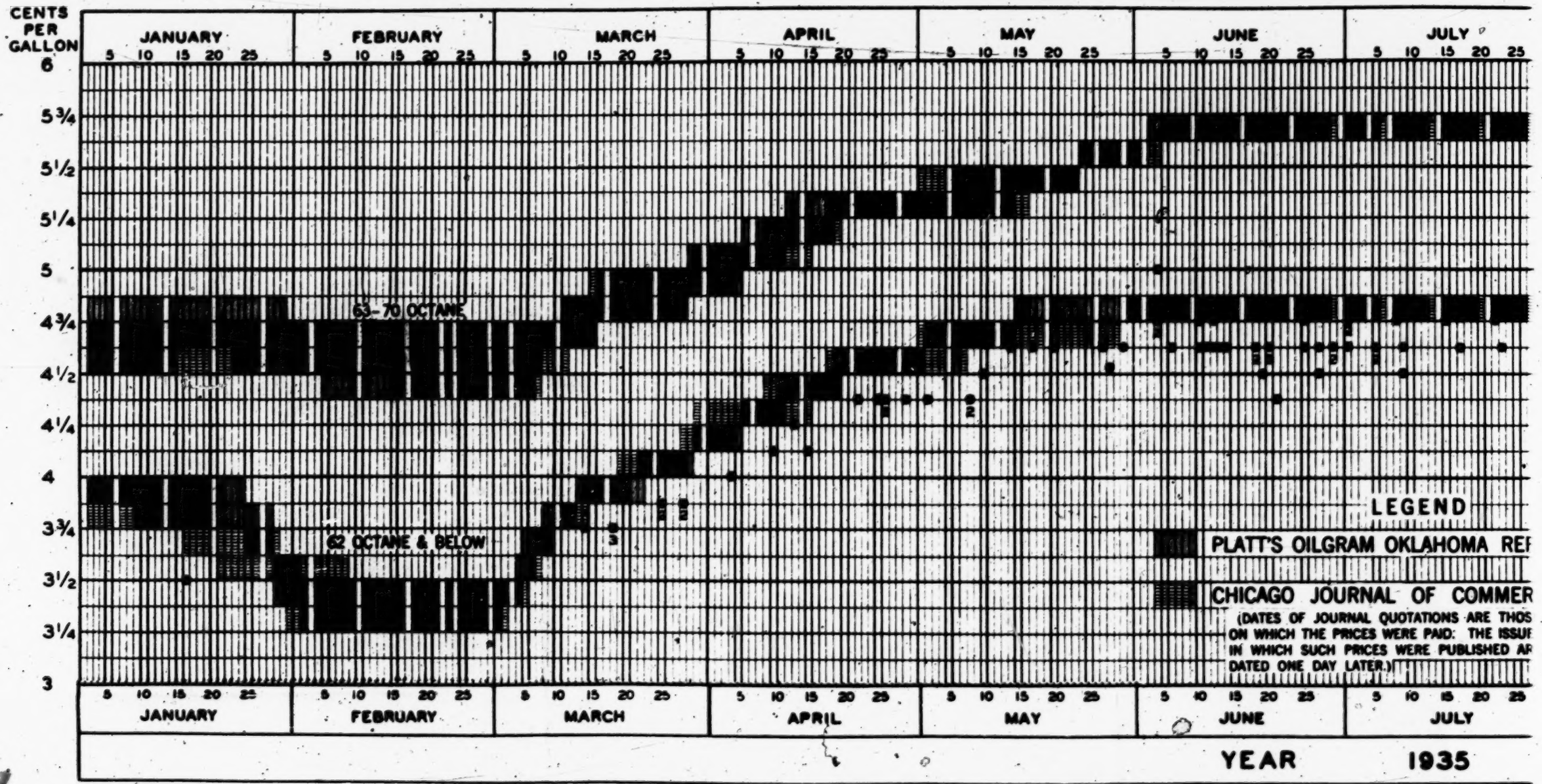
CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3



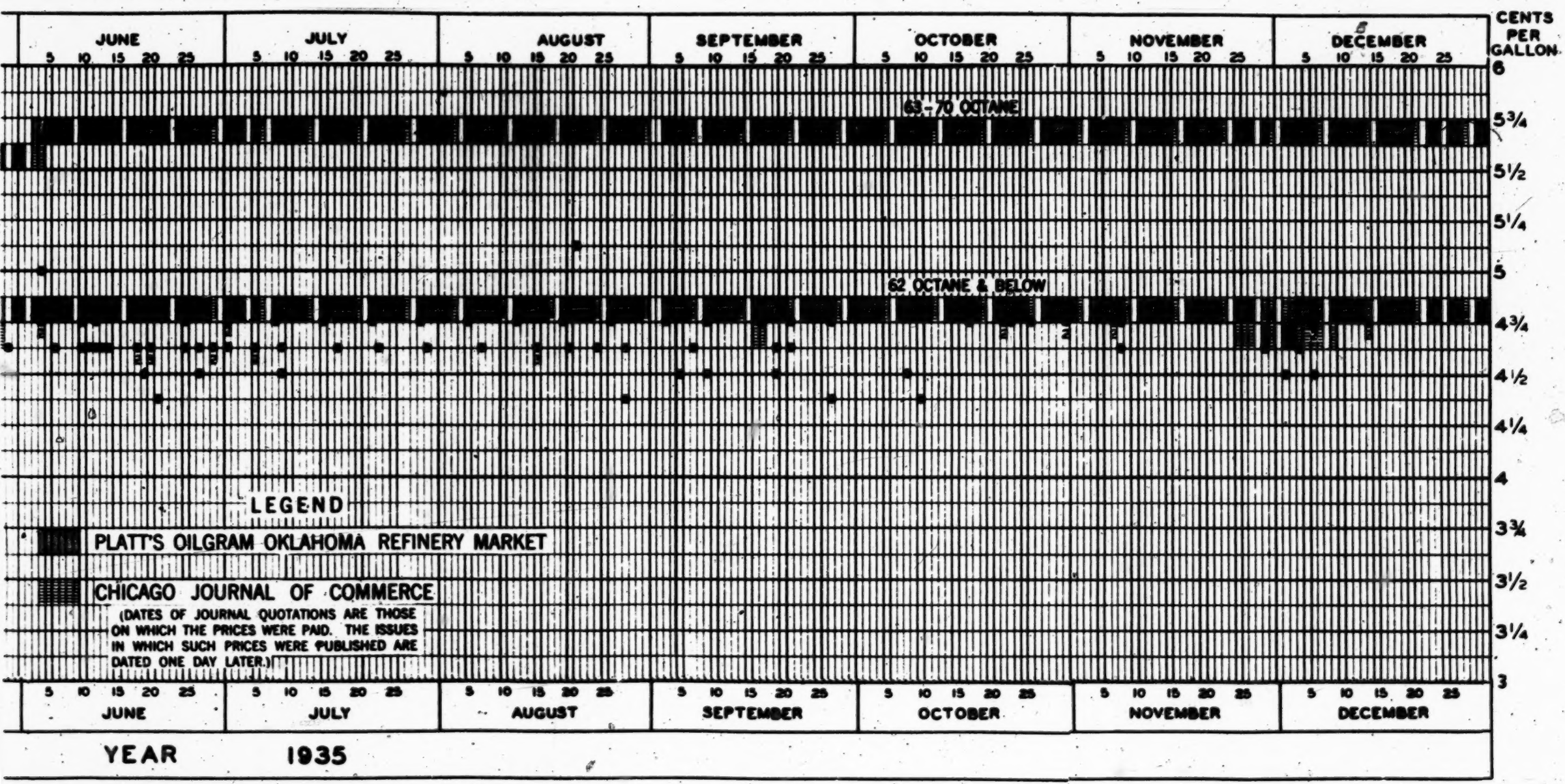
THE ISSUES IN WHICH SUCH QUOTATIONS WERE PUBLISHED ARE DATED ONE OR TWO DAYS LATER.

EXHIBIT NO. 868





● PURCHASES OF THIRD GRADE



URCHASES OF THIRD GRADE GASOLINE

5630 **DEFENSE EXHIBITS NOS. 870, 871, 872, 873.**

Chart Exhibits on file with the clerk of the District Court, to be inserted by the clerk for transmittal.

So inserted H. C. Hale, Clerk. 12/15/38.

5631 **DEFENSE EXHIBIT NO. 870.**

MID-CONTINENT PETROLEUM CORPORATION

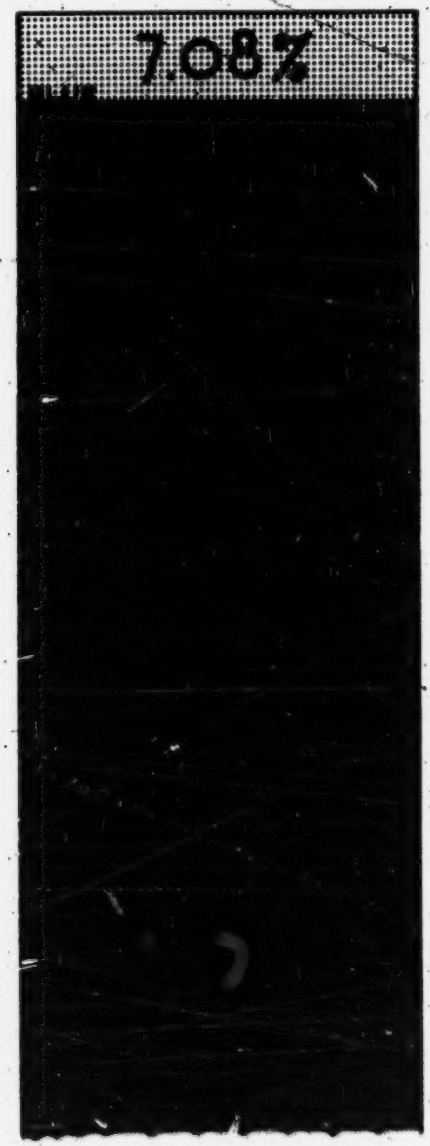
PRICES IN PURCHASES FROM INDEPENDENT REFINERS

(INCLUDING BROKERS)

COMPARED WITH

PLATT'S OILGRAM OKLAHOMA REFINERY MARKET

MARCH 1 THRU MAY 31, 1935



AT THE LOW — 15 CARS

BELOW THE LOW — 197 CARS

MID-CONTINENT PETROLEUM CORPORATION

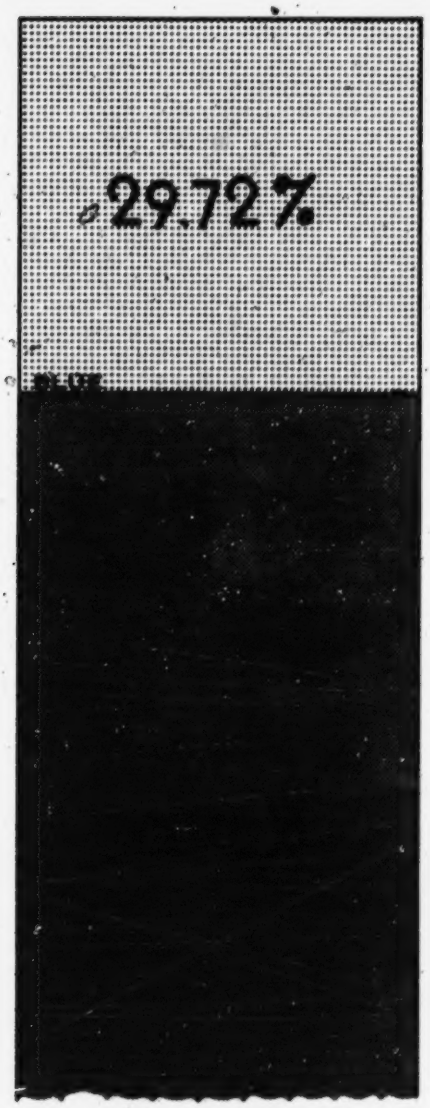
PRICES IN PURCHASES FROM INDEPENDENT REFINERS

(INCLUDING BROKERS)

COMPARED WITH

CHICAGO JOURNAL OF COMMERCE F. O. B. GROUP 3

MARCH 1 THRU MAY 31, 1935



AT THE LOW 63 CARS

BELOW THE LOW 149 CARS

MID-CONTINENT PETROLEUM CORPORATION

PRICES IN PURCHASES FROM INDEPENDENT REFINERS

(INCLUDING BROKERS)

COMPARED WITH

CHICAGO JOURNAL OF COMMERCE
REFINERY MARKET F.O.B. GROUP 3
YEAR 1935

(PERCENTAGES REFER TO CARS BOUGHT ON A FLAT PRICE BASIS)

ABOVE LOW & ABOVE HIGH 4 CARS

ABOVE LOW & UNDER HIGH 50 CARS

AT THE LOW 310 CARS

BELOW THE LOW 327 CARS

PRICES IN PURCHASES FROM INDEPENDENT REFINERS

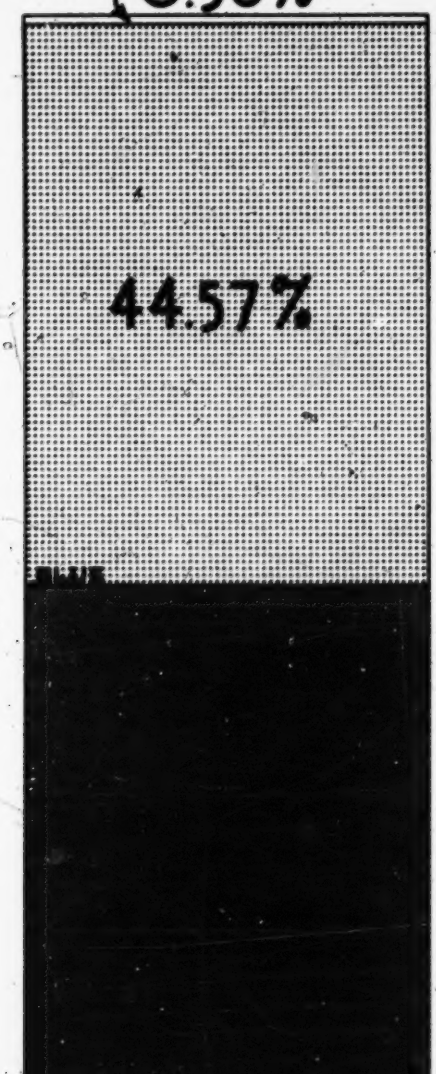
(INCLUDING BROKERS)

COMPARED WITH

PLATT'S OILGRAM OKLAHOMA REFINERY MARKET

YEAR 1935

(PERCENTAGES REFER TO CARS BOUGHT ON A FLAT PRICE BASIS)



ABOVE THE HIGH AND ABOVE THE LOW 4 CARS

AT THE LOW 308 CARS

BELOW THE LOW 379 CARS

5639 **DEFENSE EXHIBIT NO. 874.**

5640

UNITED STATES vs. STANDARD OIL COMPANY (IND.) et al.
Flat Price Purchases by Major Oil Companies from Independent Refiners at Price Ranges as shown for Third-Grade Gasoline—Limited to Purchases on either a Group 3 or F. O. B. Oklahoma Refinery Basis (Number Indicates Transactions, not Cars).

Date 1935		Daily Totals	¢ Per Gallon 3¼	3⅜	3½	3⅝	3¾	3⅞	4	4⅛	4¼	4⅜
Mar.	1	1	1									
	2											
	3	Sunday										
	4											
	5	1		1								
	6	2			2							
	7	1			1							
	8	2				1			1			
	9	2					2					
	10	Sunday										
	11	2				1	1					
	12	2				2						
	13	3				1		2				
	14	6				1	4	1				
	15											
	16	1					1					
	17	Sunday										
	18	3					3					
	19	1						1				
	20	2			1		1					
	21	7					1	5		1		
	22	3						3				
	23	2						2				
	24	Sunday										
	25	3						2	1			
	26	4						1	2			1
	27											
	28	4					1	2		1		
	29											
	30											
	31	Sunday										
		52	1	1	4	6	14	19	4	2		1

5641 **DEFENSE EXHIBIT NO. 875.**

5642

UNITED STATES vs. STANDARD OIL COMPANY (IND.) et al.

Flat Price Purchases by Defendant Major Oil Companies from Independent Refiners at Price Ranges as shown for Third Grade Gasoline—Limited to Purchases on either a Group 3 or F. O. B. Oklahoma Refinery Basis. (Number Indicates Transactions and not Cars).

Date 1935		Daily Totals	Cents Per Gallon 3⅛	4	4⅛	4¼	4⅜	4½	4⅝
April	1	1		1					
	2	3		2	1				
	3	2			2				
	4	3		3					
	5	2		2					
	6	2			1	1			
	7	Sunday							
	8								
	9	2			2				
	10	5			2	1		2	
	11	5			5				
	12	2			1				1
	13	3			2	1			
	14	Sunday							
	15	2			1		1		
	16	3			3				
	17	2				1	1		
	18	4			1		3		
	19	2					2		
	20	3					1	1	1
	21	Sunday							
	22	7					6	1	
	23	6			1		4	1	
	24	3					1	2	
	25	8					6	2	
	26	12					6	6	
	27	3					1	2	
	28	Sunday							
	29	4					3	1	
	30	4					1	3	
		93		8	22	4	36	21	2

5643 **DEFENSE EXHIBIT NO. 876.**

5644

UNITED STATES vs. STANDARD OIL CO. (INDIANA), et al.

Flat Price Purchases by Defendant Major Oil Companies from Independent Refiners at Price Ranges as shown for Third Grade Gasoline—Limited to Purchases on either a Group 3 or F. O. B. Oklahoma Refinery Basis (Number Indicates Transaction not Cars).

Date 1935	Daily Total	Cents Per Gallon 4⅜	4½	4-9/16	4⅝	4¾	5
May 1	3	2	1				
2	7	5	2				
3	1		1				
4	1	1					
5	Sunday						
6	4	1	3				
7	3	1	2				
8	6	3	3				
9	4	2	2				
10	3	2	1				
11	2		1				
12	Sunday				1		
13	3		2		1		
14	8		4		4		
15	5				5		
16	5				5		
17	6				6		
18	7				7		
19	Sunday						
20	4				4		
21	5				5		
22	4				4		
23	4				4		
24	9				8	1	
25	5				5		
26	Sunday						
27	5				4		1
28	8			1	7		
29	16	1	3		11	1	
30	2				2		
31	10				8	2	
	140	18	25	1	91	4	1

5645 **DEFENSE EXHIBIT NO. 877.**

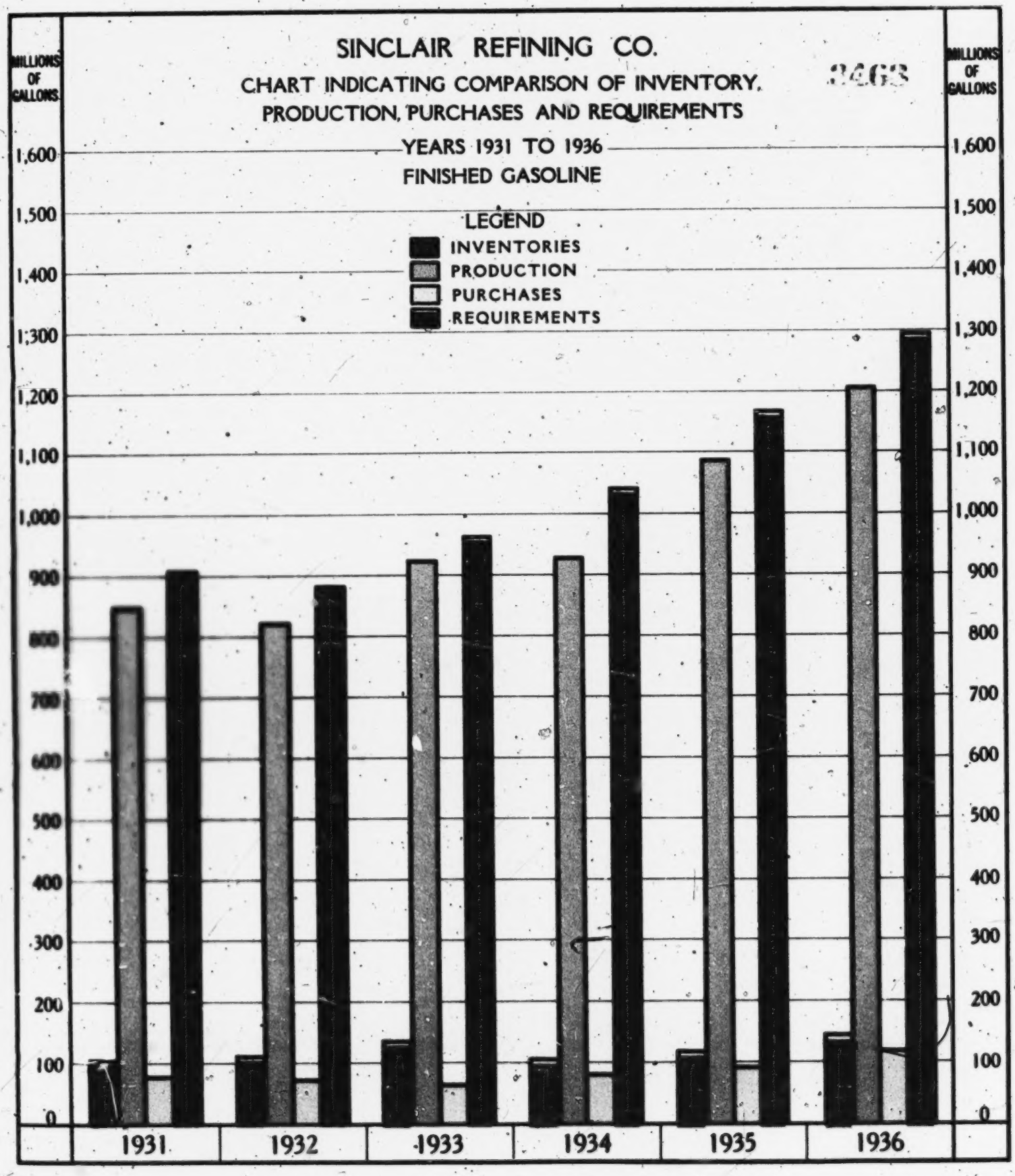
5646

UNITED STATES vs. STANDARD OIL COMPANY (IND.), et al.

Flat Price Purchases by Defendant Major Oil Companies from Independent Refiners at Price Ranges as shown for Third Grade Gasoline—Limited to Purchases on either a Group 3 or F. O. B. Oklahoma Refinery Basis (Number Indicates Transactions—not Cars).

Date 1935		Daily Totals	Cents Per Gallon 4⅛	4¼	4⅜	4½	4⅝	5
June	1	4		1		3		
	2	Sunday						
	3	4			3		1	
	4	8			1	6		1
	5	1				1		
	6	7		1	2	3	1	
	7	5			2	2	1	
	8	4			1	3		
	9	Sunday						
	10	6		1	2	3		
	11	11			7	4		
	12	7			6	1		
	13	6			3	2	1	
	14	4			1	3		
	15	2			2			
	16	Sunday						
	17	3			1	2		
	18	7			2	4	1	
	19	3		1		2		
	20	11			4	7		
	21	1	1					
	22	1				1		
	23	Sunday						
	24	3				3		
	25	4			2	2		
	26	2				2		
	27	9		2	3	4		
	28	2			2			
	29	5			2	3		
	30	Sunday						
Totals		120	1	6	46	61	5	1

5647 **DEFENSE EXHIBIT NO. 878.**


SINCLAIR REFINING CO.
CHART INDICATING COMPARISON OF INVENTORY, PRODUCTION, PURCHASES AND REQUIREMENTS
YEARS 1931 TO 1936
FINISHED GASOLINE
LEGEND
INVENTORIES
PRODUCTION
PURCHASES
REQUIREMENTS
MILLIONS OF GALLONS
1,600
1,500
1,400
1,300
1,200
1,100
1,000
900
800
700
600
500
400
300
200
100
0
1931
1932
1933
1934
1935
1936

5649 **DEFENSE EXHIBIT NO. 879.**

1680 **SINCLAIR REFINING COMPANY**

Finished Gasoline Transactions
Years 1931 to 1936

	Gallons	
	1931	1932
Inventory at beginning of year	80,752,526	98,024,589
Inventory in terms of days supply*	38*	55*
Production	848,892,785	818,883,134
Percent of requirements*	93.59*	93.03*
Total Purchases	75,381,135	72,848,507
Percent of requirements	8.31*	8.28*
Total	1,005,026,446	989,756,230
Sales		
Domestic	814,848,624	808,814,491
Export	76,825,989	53,946,841
Total sales	891,674,613	862,761,332
Plant Consumption, Company Use, Over and Short, Etc.	15,327,244	17,481,911
Inventory at Close of Year	98,024,589	109,513,087
Percent of Inventory to requirements for year.*	10.81*	12.44*
Total	1,005,026,446	989,756,230

*Written in red on original exhibit.

1681

Gallons			
1933	1934	1935	1936
109,513,087	135,785,068	103,838,675	117,197,575
43*	57*	40*	43*
924,396,230	928,436,647	1,093,275,234	1,199,543,296
95.80*	89.16	93.76	92.83*
68,777,955	80,950,860	86,115,510	114,188,629
6.92*	7.77*	7.39*	8.84*
1,102,687,379	1,145,172,575	1,283,229,419	1,430,929,500
917,017,376	947,006,846	1,053,775,385	1,214,261,418
122,401,469	75,098,135	93,994,729	61,418,689
969,418,845	1,025,104,981	1,147,770,114	1,275,680,107
15,483,466	16,228,919	18,261,730	16,480,002
135,785,068	103,838,675	117,197,575	138,760,391
14.07*	9.97*	10.01*	10.74*
1,102,687,379	1,145,172,575	1,283,229,419	1,430,929,500

5652 **DEFENSE EXHIBIT NO. 880.**

5653 **JOHNSON OIL REFINING COMPANY**
20 North Wacker Drive
Chicago, Illinois

Gasoline Production, Cleveland, Oklahoma Refinery

	Gallons from Crude	Casinghead	Total Gallons	Total Barrels
1934				
January				
February				
March				
April				
May				
June	1738605	740443	2479048	59025
July	2110865	716442	2827307	67317
August	1767255	947672	2714927	64641
September	2033010	616206	2649216	63076
October	2001254	785630	2786884	66354
November	2386633	391563	2778196	66147
December	2578660	371004	2949664	70230
Total	14616282	4568960	19185242	456791
1935				
January	1448389	386135	1834524	43679
February	None	284279	284279	6769
March	1973088	575509	2548597	60681
April	1171397	752097	1923494	45797
May	3024035	593536	3617571	86133
June	2970560	804770	3775330	89889
July	2952812	833933	3786745	90161
August	2877343	915284	3792627	90301
September	2823524	463777	3287301	78269
October	2853958	605906	3459864	82378
November	2177283	532080	2709363	64508
December	2873895	594407	3468302	82578
Total	27146284	7341713	34487997	821143

5654

1936				
January	2625096	640406	3265502	77750
February	2634152	317866	2952018	70286
March	3060440	654456	3714896	88450
April	2981581	854070	3835651	91325
May	2900911	705527	3606438	85867
June	None	763417	763417	18177
July	2906344	766686	3673030	85120
August	2857006	709757	3566763	84923
September	2743962	468585	3212547	76489
October	3036103	477320	3513423	83653
November	2816637	509942	3326579	79204
December	2319527	544692	2864219	68196
Total	30783759	7412724	38196483	909440
Grand Total	72546325	19323397	91869722	2187374

5655

DEFENSE EXHIBIT NO. 881.

JOHNSON OIL REFINING COMPANY
20 North Wacker Drive
Chicago, Illinois

Gasoline Shipments from Cleveland, Oklahoma Refinery

	Ethyl	Winged "70"	Jo-Re-Co	Non-Leaded	Total Gallons	Total Barrels
1934						
uary						
b						
r						
r						
y						
e	39026	1928557	1313210		3280793	78114
y	32796	1871927	1509664		3414387	81295
g	51613	2586348	1812230		4450191	105957
t	52571	1526302	933069		2511942	59808
i	32403	2432091	947867		3412361	81247
v	27581	1669973	433649		2131203	50743
c	28859	1491312	355191		1875362	44651
Total	264849	13506510	7304880		21076239	501815
1935						
n	39270	1449461	308866		1797597	42800
b	9309	1215406	214485		1439200	34267
r	29028	1535081	365915		1930024	45953
r	43079	2151916	930433		3125428	74415
y	16085	1929440	866172	59319	2871016	68358
e	24607	1972138	1042630	171302	3210677	76444
y	25798	1936804	1462090	415792	3840484	91440
g	23771	2161736	1682521	420728	4288756	102113
t	16068	1873683	1014138	215032	3118921	74260
i	33048	1786536	1035754	308132	3163470	75321
v	21652	1777377	696823	176936	2672788	63638
c	30024	1909695	716155	142549	2798423	66629
Total	311739	21699273	10335982	1909790	34256784	815638
7						
1936						
uary	33042	1748934	509104	249762	2540842	60496
bruary	39888	1308577	294005	147752	1790222	42624
rch	29750	1700725	643474	290554	2664503	63440
ril	21101	2627896	1076588	276257	4001842	95282
y	16447	2660263	977778	239002	3893490	92705
e	32806	2796781	922372	210677	3964636	94396
y	56649	2634746	958305	211340	3861040	91929
gust	14366	2859868	970930	170596	4015760	95613
ptember	35731	2266352	782640	200308	3285031	78215
tober	55359	2447613	713496	184669	3401137	80979
vember	33688	2112056	551481	154265	2851490	67893
cember	60350	1817296	471058	177907	2526611	60157
Total	429177	26983107	8871231	2513089	38796604	923729
and Total	1005765	62188890	26512093	4422879	94129627	2241182

5658 **DEFENSE EXHIBIT NO. 882.**

5659 **Waggoner Refining Company, Vernon, Texas.**

1934	Gasoline Production (In Gallons)	Gasoline Sales
January	1,375,314	1,937,990
February	477,380	1,311,407
March	589,357	1,022,748
April	1,603,914	1,186,039
May	2,326,423	1,874,859
June	2,341,787	2,048,900
July	2,119,924	2,374,268
August	1,340,913	1,494,058
September	1,466,336	2,701,257
October	2,153,740	1,782,393
November	1,922,447	1,553,563
December	1,611,801	919,772
Total 1934	19,329,336	20,207,254
1935		
January	1,349,624	1,114,058
February	1,256,974	766,470
March	1,806,720	1,579,961
April	1,944,835	4,074,119
May	1,918,496	3,847,418
June	1,709,375	2,151,789
July	2,039,699	2,652,559
August	2,130,588	2,620,957
September	2,499,877	1,861,079
October	2,853,126	2,583,257
November	2,266,521	2,186,978
December	2,087,528	2,070,088
Total 1935	23,863,363	27,508,733
1936		
January	2,089,088	2,216,300
February	1,849,931	1,429,768
March	2,298,442	1,820,015
April	2,118,296	2,275,868
May	2,030,207	1,803,915
June	2,429,437	2,725,035
July	2,582,295	4,095,301
August	2,388,254	3,439,500
September	2,153,450	1,970,075
October	1,972,962	1,812,871
November	954,673	936,310
December	1,567,771	946,800
Total 1936	24,434,806	25,471,758

5661 FLAT PRICE SALES TO MID-CONTINENT PETROLEUM CORPORATION CONSUMERS

1935

Shipped To	Date of Order	Date Shipped	Number of Cars	(Grade) Octane Bracket	Price Agreed On	Freight Basis	Gallons Shipped	Price Paid
Alstadt & Langles, Waterloo, Ia.	Feb. 15	Feb. 16	1	Under 62	.0325	Tulsa, Okla.	8,070	.0325
Bruce Transfer, Des Moines, Ia.	Jan. 10	Jan. 10	1	63/70	.04625	"	10,152	.04625
" " "	Jan. 31	Jan. 31	1	"	.04625	"	10,229	.04625
" " "	Feb. 23	Feb. 23	1	"	.04563	"	10,239	.04563
" " "	Mar. 19	Mar. 21	1	"	.04875	"	8,156	.04875
" " "	Apr. 2	Apr. 4	1	"	.04875	"	10,254	.04875
" " "	Apr. 17	Apr. 19	1	"	.05125	"	10,217	.05125
" " "	May 4	May 8	1	"	.05375	"	8,113	.05375
" " "	May 21	May 23	1	"	.05438	"	10,171	.05438
" " "	June 13	June 15	1	"	.05625	"	10,063	.05625
" " "	June 21	June 24	1	"	.05688	"	10,093	.05688
" " "	July 9	July 11	1	"	.05688	"	10,014	.05688
" " "	Aug. 8	Aug. 10	1	"	.05688	"	9,968	.05688
" " "	Aug. 22	Aug. 24	1	"	.05688	"	10,033	.05688
" " "	Sept. 5	Sept. 5	1	"	.05688	"	9,990	.05688
" " "	Sept. 19	Sept. 21	1	"	.05688	"	10,111	.05688
" " "	Oct. 4	Oct. 7	1	"	.05688	"	10,152	.05688
" " "	Oct. 19	Oct. 19	1	"	.05688	"	10,039	.05688
" " "	Nov. 4	Nov. 4	1	"	.05688	"	10,149	.05688
" " "	Nov. 18	Nov. 20	1	"	.05688	"	10,265	.05688
" " "	Dec. 28	Dec. 31	1	"	.05688	"	10,433	.05688
" " "	Dec. 9	Dec. 11	1	"	.05688	"	10,381	.05688
Des Moines Ice & Fuel Co., Des Moines, Ia.	Sept. 14	Sept. 17	1	"	.05687	"	8,081	.05688
Gamble Robinson Fruit, Waterloo, Ia.	Jan. 4	Jan. 5	1	"	.045	"	8,313	.045
" " " "	Apr. 4	Apr. 5	1	"	.04875	"	8,139	.04875
" " " "	June 24	June 25	1	"	.05625	"	7,975	.05625
" " " "	Oct. 11	Oct. 12	1	"	.05625	"	8,002	.05625
Rath Packing Co., Waterloo, Ia.	Apr. 15	Apr. 15	1	"	.05	"	7,993	.05
" " "	May 27	May 27	1	"	.05375	"	8,019	.05375
" " "	Dec. 17	Dec. 18	1	"	.055	"	8,116	.055

Roberts Dairy, Sioux City, Ia.	Oct.	28	Oct.	28	1	63/70	.05625	Tulsa, Okla.	8,115	.05625
Waterloo Fruit & Comm., Waterloo, Ia.	Jan.	31	Jan.	31	1	"	.04375	"	8,175	.04375
White Line Transfer & Storage, Des Moines, Ia.	June	11	June	13	1	"	.05688	"	8,131	.05688
" " " " " " "	Aug.	30	Aug.	31	1	"	.05688	"	10,032	.05688
" " " " " " "	Oct.	31	Nov.	2	1	"	.05688	"	8,225	.05688
5663										
Young Coal Co., Waterloo, Ia.	Jan.	18	Jan.	23	1	63/70	.04625	Tulsa, Okla.	6,094	.04625
" " " " " " "	May	10	May	11	1	"	.0525	"	8,040	.0525
Copper Range Motor Bus, Houghton, Mich.	Jan.	10	Jan.	11	1	"	.04625	"	8,133	.04625
" " " " " " "	Mar.	11	Mar.	12	1	"	.0456	"	8,129	.0456
" " " " " " "	May	17	May	18	1	"	.05375	"	8,097	.05375
" " " " " " "	Aug.	8	Aug.	8	1	"	.056875	"	7,838	.056875
Terre Haute Pure Milk & Ice Cream, Terre Haute, Ind.	May	4	May	4	1	"	.0525	"	10,114	.0525
American Can Co., Maywood, Ill.	Jan.	10	Jan.		1	"	.04625	"	8,282	.04625
" " " " " "	July	5	July	6	1	"	.056875	"	8,067	.056875
" " " " " "	Aug.	22	Aug.	23	1	"	.056875	"	8,058	.05688
" " " " " "	Sept.	20	Sept.	21	1	"	.056875	"	8,092	.05688

NOTE: All shipped from Tulsa, Okla.
All consumers.

5664				1936						
Bruce Transfer Co., Des Moines, Ia.	Jan.	15	Jan.	17	1	63/70	.06	Tulsa, Okla.	10,365	.06
" " " " "	Feb.	5	Feb.	7	1	"	.06188	"	10,457	.061875
" " " " "	Feb.	20	Feb.	22	1	"	.06188	"	10,489	.061875
" " " " "	Mar.	10	Mar.	10	1	"	.06	"	9,976	.06
" " " " "	Mar.	25	Mar.	25	1	"	.06125	"	10,174	.06125
" " " " "	Apr.	11	Apr.	11	1	"	.06125	"	10,123	.06125
" " " " "	Apr.	24	Apr.	27	1	68/70	.06125	"	10,142	.06125
" " " " "	May	23	May	23	1	"	.06125	"	10,026	.06125
" " " " "	May	11	May	12	1	"	.06125	"	10,003	.06125
" " " " "	June	23	June	25	1	"	.060625	"	10,043	.060625
" " " " "	June	8	June	9	1	"	.060625	"	9,877	.060625
" " " " "	July	21	July	22	1	"	.060625	"	9,897	.060625
" " " " "	July	6	July	6	1	"	.060625	"	9,988	.060625
Des Moines Water Works, Des Moines, Ia.	Apr.	14	Apr.	15	1	"	.07244	F.O.B.Destn.	9,889	.07244
White Line Trans. & Stg. " " " "	Feb.	19	Feb.	21	1	63/70	.06188	Tulsa, Okla.	8,265	.06188
" " " " " " "	Apr.	2	Apr.	4	1	"	.06125	"	8,242	.06125

Shipped To	Date of Order	Date Shipped	Number of Cars	(Grade) Octane Bracket	Price Agreed On	Freight Basis	Gallons Shipped	Price Paid
Copper Range Mtr. Bus, Houghton, Mich.....	Jan. 2	Jan. 3	1	"	.056875	"	8,168	.05688
" " " " " "	Apr. 28	Apr. 29	1	68/70	.06125	"	8,040	.06125
" " " " " "	July 21	July 22	1	"	.060625	"	7,933	.060625
American Can Co., Maywood, Ill.....	Jan. 17	Jan. 18	1	63/70	.061875	"	8,247	.06188
" " " " "	Mar. 31	Apr. 2	1	"	.06125	"	8,244	.06125
" " " " "	June 1	June 2	1	68/70	.060625	"	8,115	.060625
" " " " "	July 27	July 28	1	"	.060625	"	8,053	.060625
Bruce Transfer Co., Des Moines, Ia.....	Aug. 4	Aug. 4	1	"	.060625	"	9,924	.060625
" " " " "	Aug. 18	Aug. 19	1	"	.060625	"	9,963	.060625
" " " " "	Aug. 31	Sept. 1	1	"	.05875	"	9,871	.05875
" " " " "	Sept. 14	Sept. 14	1	"	.05688	"	9,980	.05688
" " " " "	Sept. 28	Sept. 28	1	"	.05625	"	10,051	.05625
" " " " "	Oct. 10	Oct. 10	1	"	.056875	"	10,045	.056875
" " " " "	Oct. 24	Oct. 24	1	"	.056875	"	10,120	.056875
" " " " "	Nov. 7	Nov. 7	1	"	.056875	"	10,057	.05688
" " " " "	Nov. 19	Nov. 19	1	"	.05813	"	10,184	.05813
" " " " "	Dec. 3	Dec. 3	1	"	.05813	"	10,182	.05813

5665

1936 (Continued)

Bruce Transfer Co., Des Moines, Ia.....	Dec. 18	Dec. 18	1	68/70	.05813	Tulsa, Okla.	10,197	.058125
" " " " "	Dec. 31	Dec. 31	1	"	.05813	"	10,132	.058125
Copper Range Mtr. Bus Co., Houghton, Mich.	Oct. 1	Oct. 2	1	"	.05625	"	8,081	.05625
" " " " " "	Dec. 9	Dec. 9	1	"	.058125	"	8,117	.058125
American Can Co., Maywood, Ill.....	Dec. 7	Dec. 8	1	"	.05813	"	8,286	.058125
Brashear Truck Co., St. Louis, Mo.....	May 28	May 29	1	"	.06	"	8,010	.06
Lassiter Fuel & Lubr. Co., St. Louis, Mo.....	Nov. 12	Nov. 12	1	"	.05625	"	8,100	.05625

5666 DEFENSE EXHIBIT NO. 887.

5667 Cushing Refining & Gasoline Co.

Recapitulation of Production and Sales 1934-1936
In Barrels

	Gasoline Production	Gasoline Sales
1934		
January	39,701	49,903
February	41 055	35 634
March	39 490	41 968
April	47 565	44 592
May	41 793	52 960
June	50 407	52 955
July	47 620	46 976
August	48 869	44 228
September	36 982	39 557
October	36 476	36 094
November	30 327	34 114
December	34 541	34 339
Total year 1934	494 826	513 320
1935		
January	46 109	37 845
February	53 511	48 068
March	63 515	72 784
April	72 276	75 272
May	69 649	66 868
June	66 428	69 146
July	76 356	77 187
August	71 602	70 213
September	77 006	70 547
October	72 148	82 305
November	76 492	63 997
December	58 379	64 269
Total year 1935	803 471	798 501

1936		
January	60 398	58 602
February	57 329	48 011
March	64 968	72 242
April	70 503	75 888
May	78 103	78 360
June	76 858	80 708
July	78 062	75 311
August	78 645	69 643
September	75 515	88 958
October	77 618	67 311
November	50 492	52 692
December	74 252	69 253
Total year 1936	842 743	836 979

Percent of total sales to major cos	1934	15.98
Percent of total sales to major cos	1935	10.38
Percent of total sales to major cos	1936	13.26
Percent of total sales to jobbers and brokers	1934	84.02
Percent of total sales to jobbers and brokers	1935	89.62
Percent of total sales to jobbers and brokers	1936	86.24

DEFENSE EXHIBIT NO. 888.

CUSHING REFINING & GASOLINE COMPANY

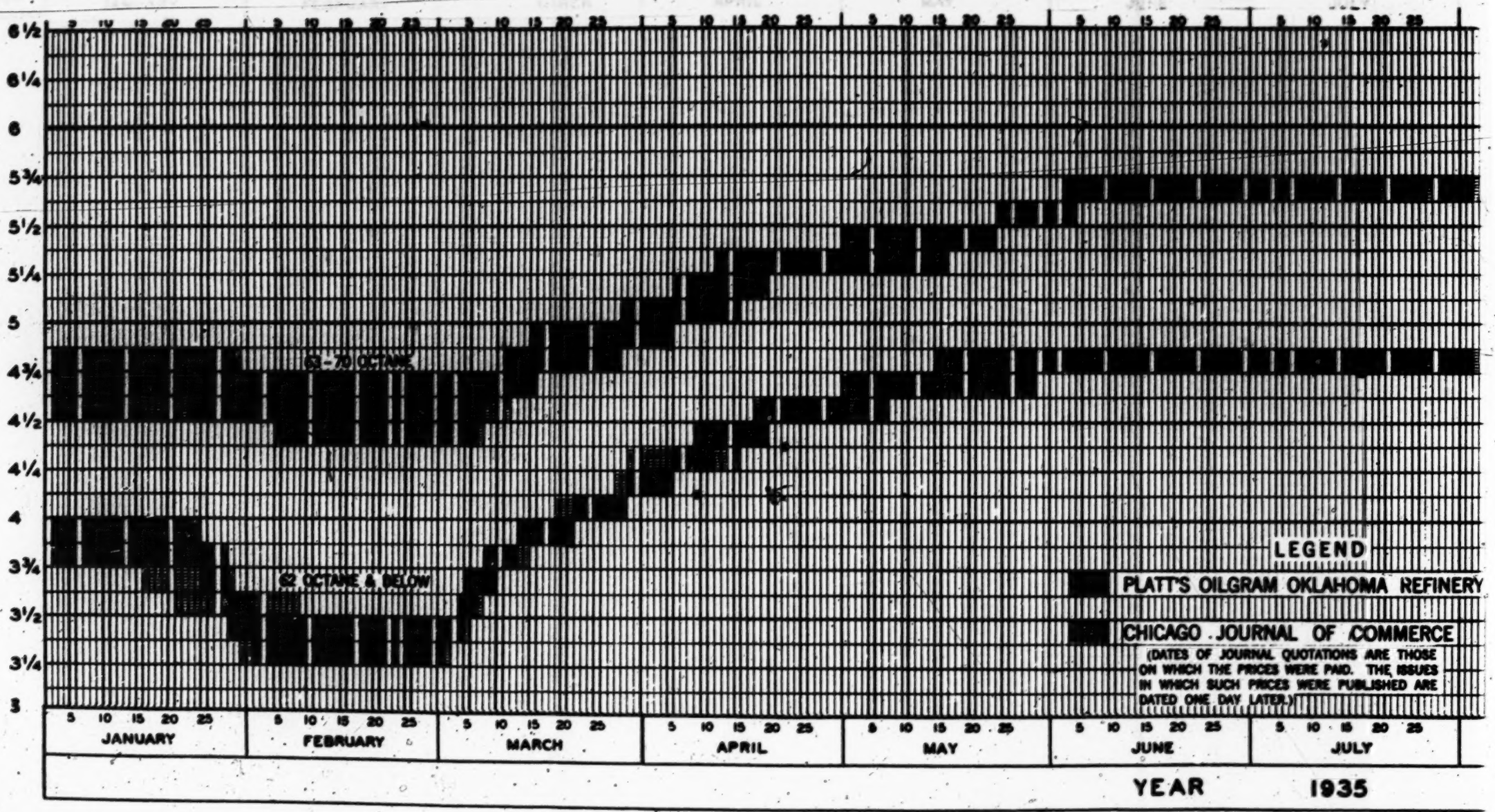
Gasoline Sales to Majors
(in barrels)

5669

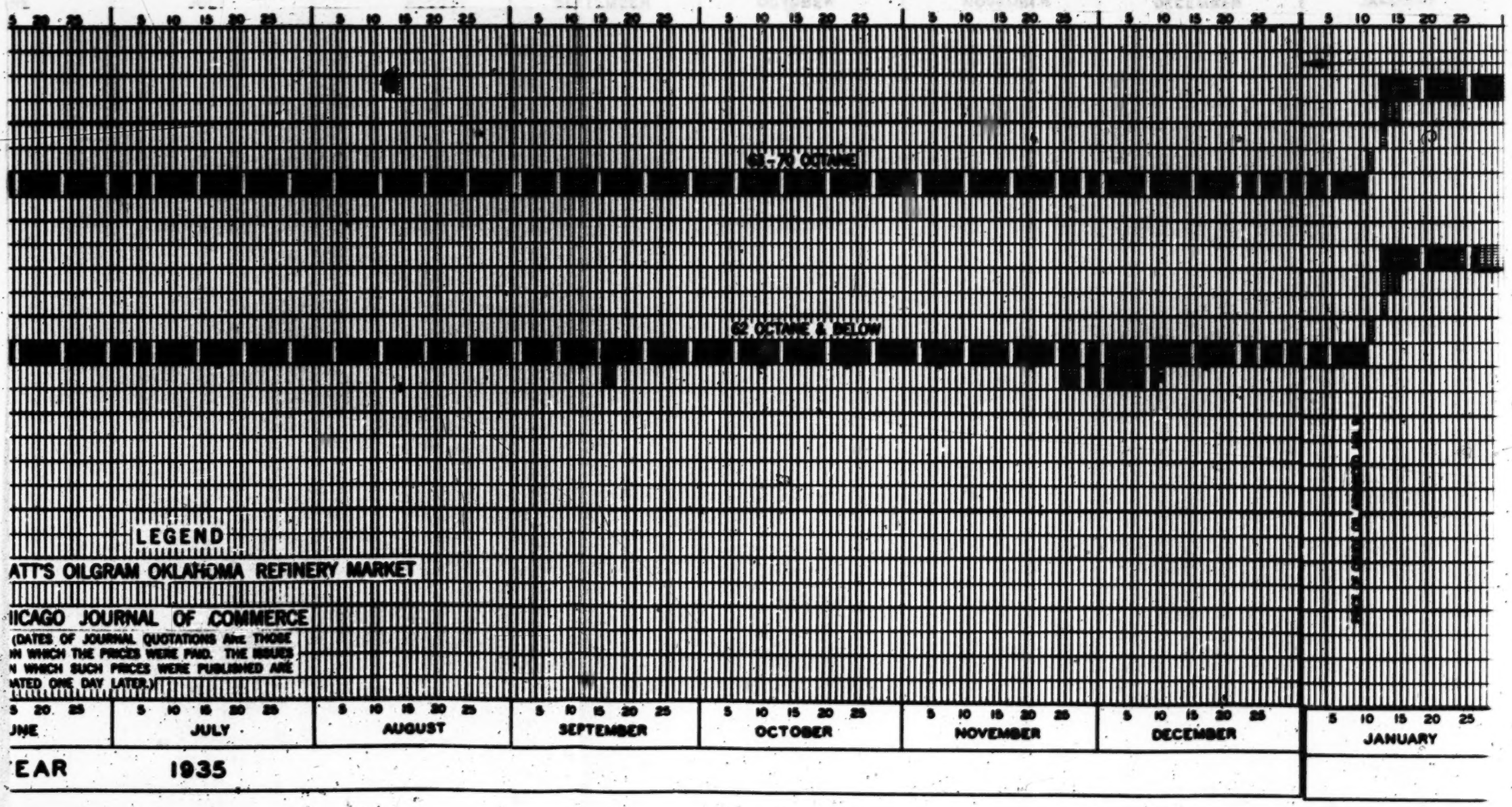
1934	Monthly Total	White Eagle & Socony-Vacuum	Sinclair Refy Co.	Shell Pipeline	Skelly Oil	Phillips Petr.	Mid-Cont. Petr.	Tide-Water	Lubrite Refg.	Wadhams Oil.
January	195				195					
February	8969				4847			4122		
March	11996	7762			3057			1177		
April	14609	1927		4807	6721				577	577
May	16066	5366			10700					
June	5699	5699								
July	8060	7566			494					
August	5162	4540			622					
September	3053	3053								
October	143				143					
November	4307				4307					
December	3795		2725		290		780			
Total	82044	35913	2725	4807	31366		780	5299	577	577
1935										
January	6316		4075		95		2146			
February	824		775		49					
March	13183		771	1737	61	10614				
April	7110	1349	386	4058	931	386				
May	9081	3281	774	4832		194				
June	7190	3642	576	2877	95					
July	7740	6835	762		143					
August	5510	4748	762							
September	4830	1149	767	2866	48					
October	5584	586	193	4805						
November	7754	1359	583	5812						
December	7791		195	7596						
Total	82913	22949	10619	34583	1422	11194	2146			

1936					
January.....	9023	988	195	7840	
February.....	8046		194	7852	
5670					
March.....	8942	977	193	7724	48
April.....	8257		582	7675	
May.....	8065		381	7636	48
June.....	7589		569	7020	
Total—6 mos..	49922	1965	2114	45747	96

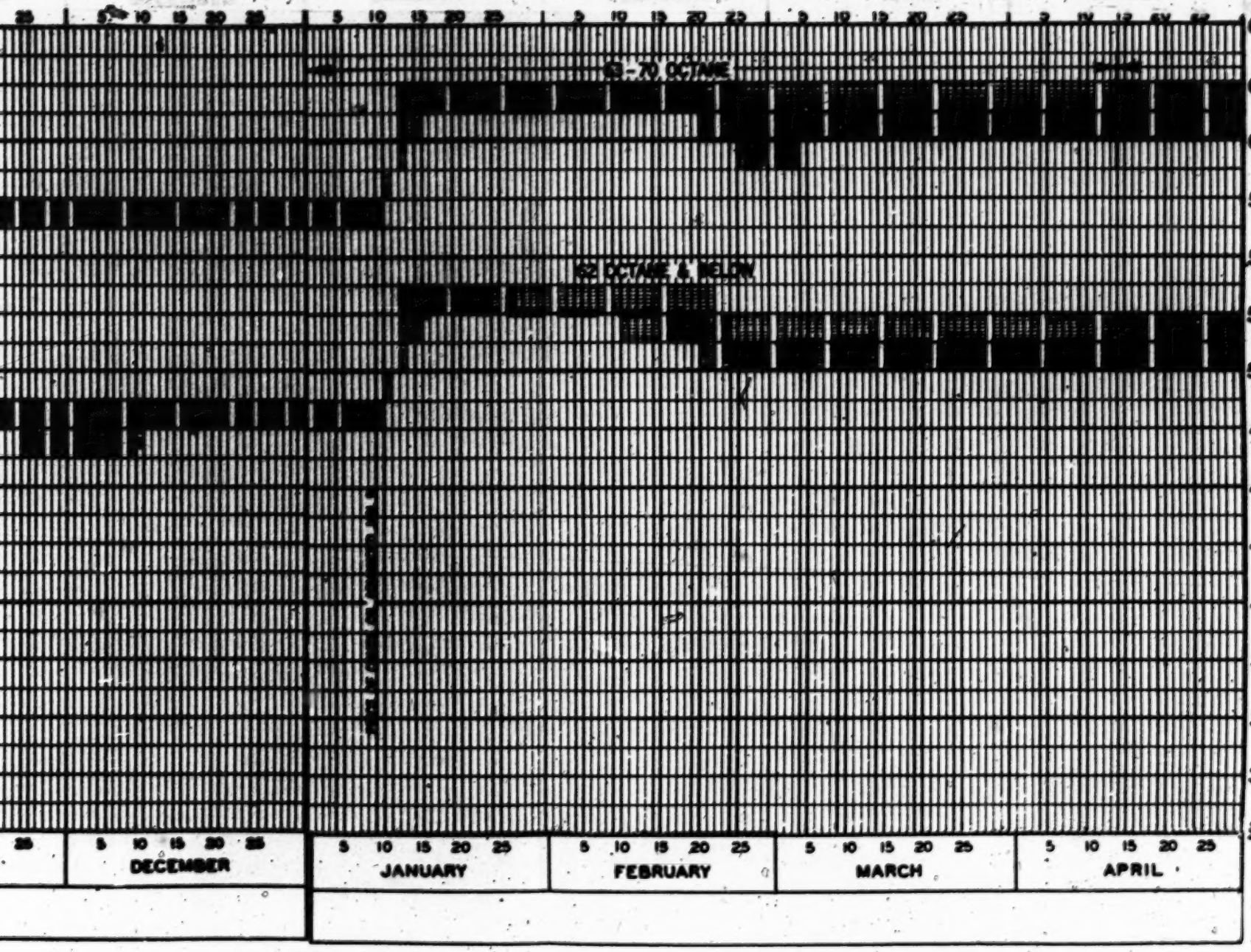
5671 **DEFENSE EXHIBIT NO. 889.**



• THIRD GRADE – F. O. B. GROUP 3



GRADE – F. O. B. GROUP 3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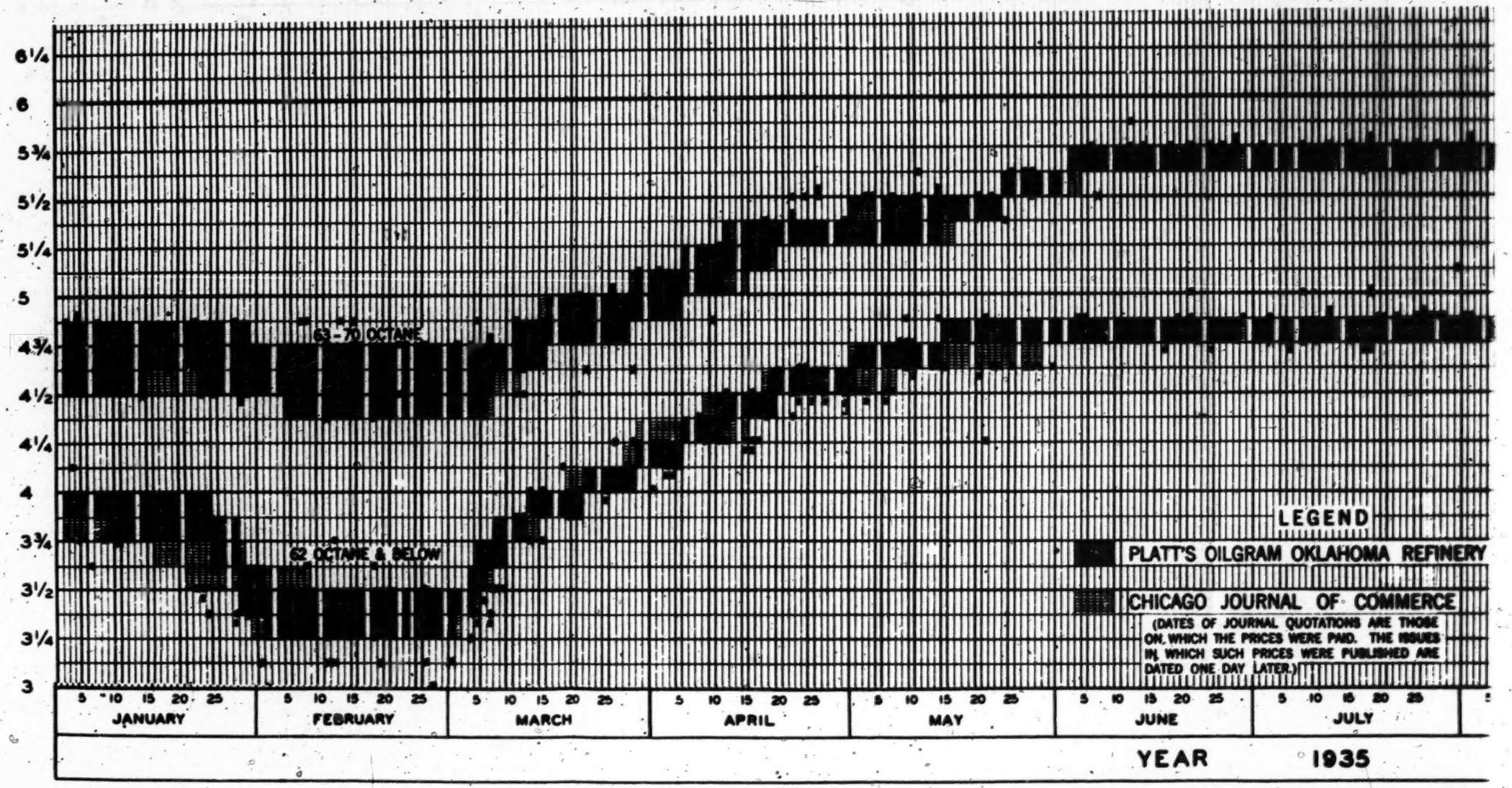

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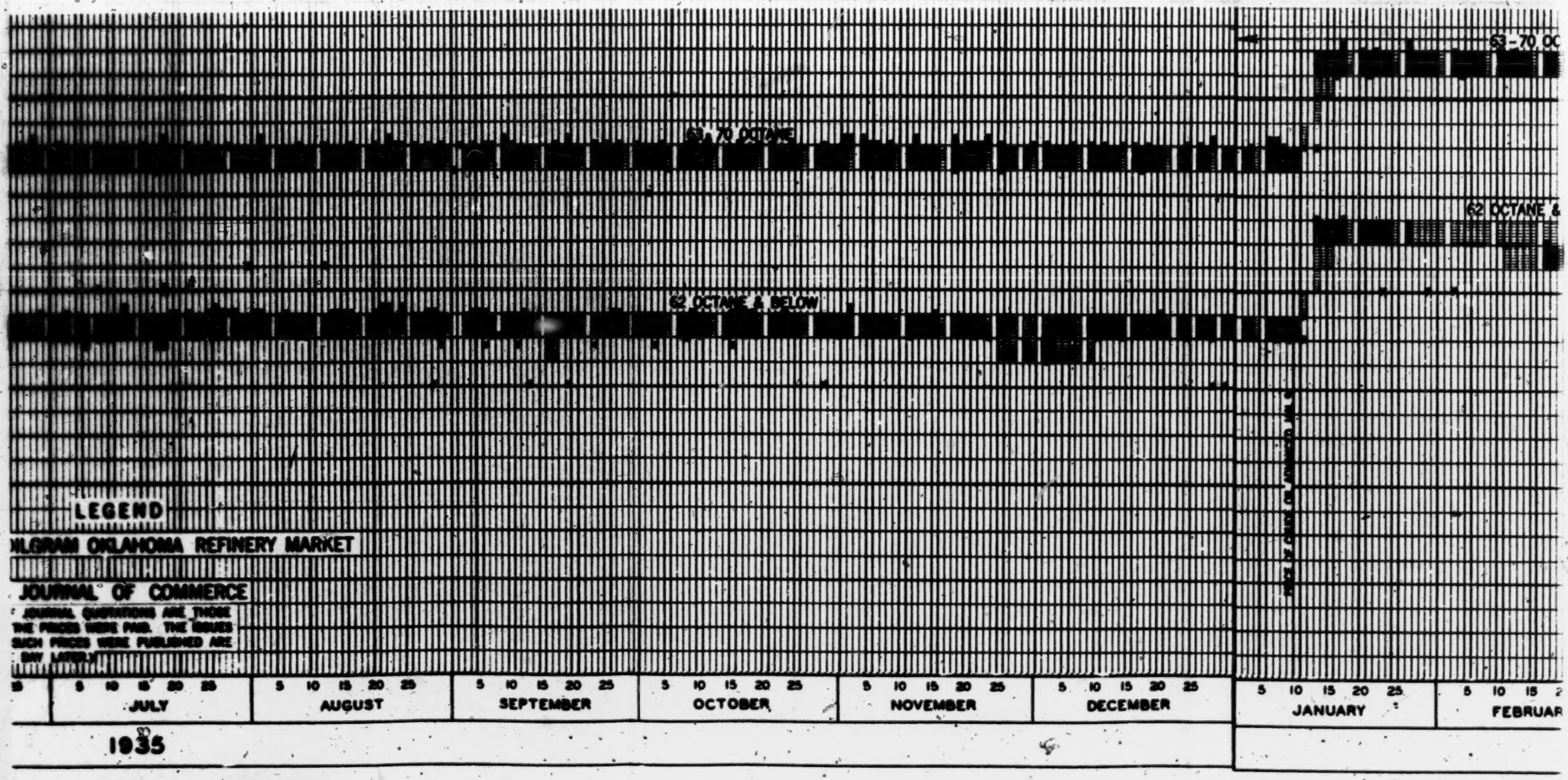

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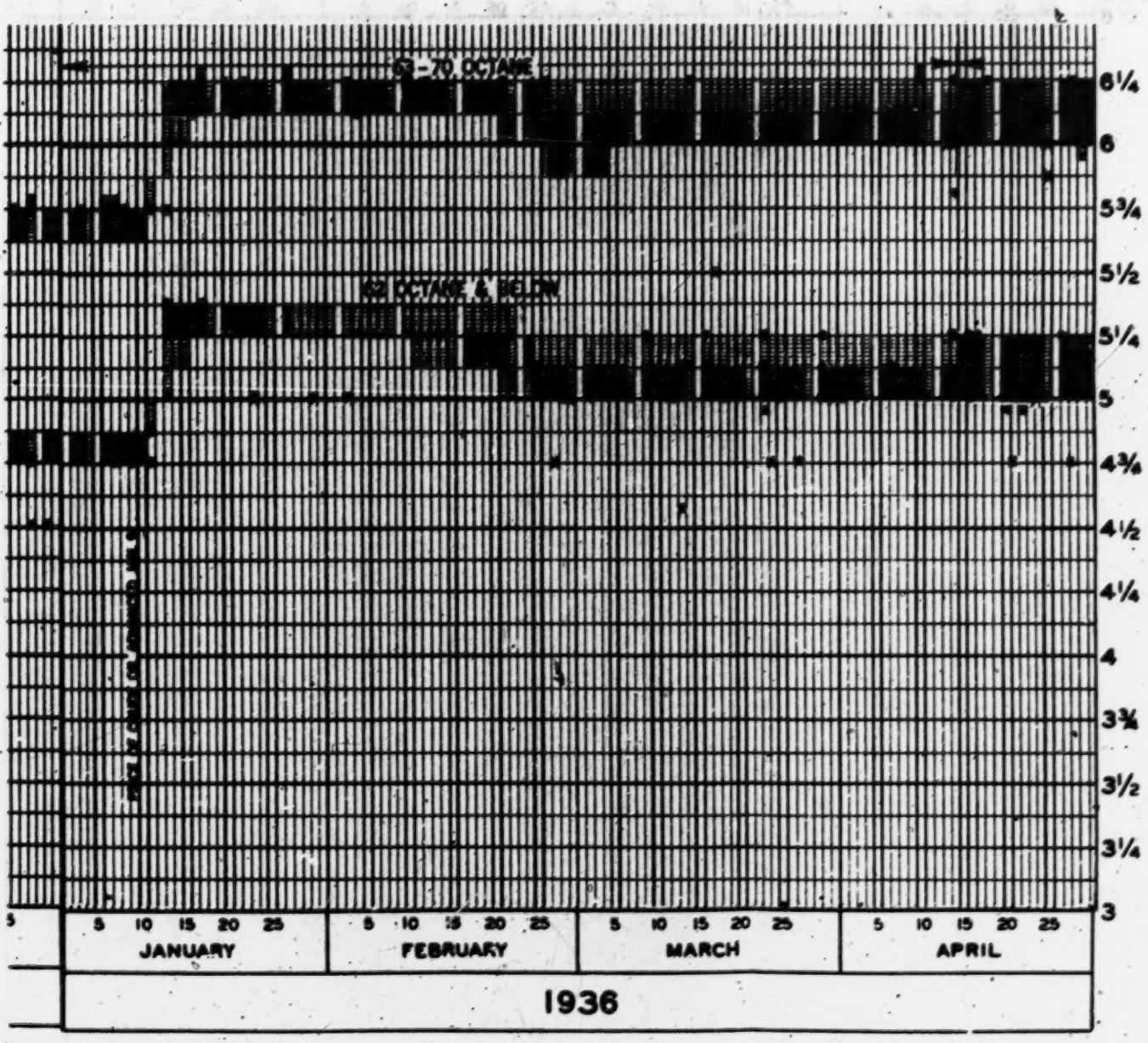
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5675 DEFENSE EXHIBIT NO. 891 For Identification

(Identical with Government Exhibit No. 891.)

5676 GOVERNMENT EXHIBIT NO. 891.

Letterhead of Administrator of the Petroleum Industry, Washington

July 20, 1934

Mr. C. E. Arnott, Chairman,
Marketing Committee,
Planning and Coordination Committee,
Investment Building,
Washington, D. C.

My dear Mr. Arnott:

It has been brought to my attention that the market for gasoline and other petroleum products has recently been disturbed by numerous price wars in many different localities and states. This has resulted in causing petroleum products to be sold below cost in some areas in order to meet unrestrained competition, and has in turn depressed the wholesale market for such products, thereby leading to the building up of surplus and to the economic and physical waste consequent thereon.

Such conditions have a strong tendency toward, and in many instances have resulted in, the payment of wages below the minimum established by the Code, and in the working of employees for a period beyond the maximum hours provided for by it. Furthermore, price wars necessarily injure small independent marketers who are unable to dispose of their products profitably when prices sink to ruinous levels. It would appear, therefore, that we are faced with conditions which would, if uncontrolled, tend to frustrate the purposes of the National Industrial Recovery Act by increasing unemployment, reducing standards of labor, and preventing the rehabilitation of industry, which the Act was intended to achieve.

Under Article VII, Section 3 of the Code it is the duty of the Planning and Coordination Committee to cooperate

with the Administration as a planning and fair practice agency for the industry. I am, therefore, requesting you, as Chairman of the Marketing Committee of the Planning and Coordination Committee, to take action which
5677 we deem necessary to restore markets to their normal conditions in areas where wasteful competition has caused them to become depressed. The number and extent of these situations would make it impractical for the Petroleum Administrative Board acting alone to deal with each specific situation. Therefore, I am requesting and authorizing you, as Chairman of the Marketing Committee, to designate committees for each locality when and as price wars develop, with authority to confer and to negotiate and to hold due public hearings with a view to ascertaining the elements of conflict that are present, and in a cooperative manner to stabilize the price level to conform to that normally prevailing in contiguous areas where marketing conditions are similar. Any activities of your Committee must, of course, be consistent with the requirements of Clause 2 of Sub-section (a) of Section III of the Act, and if in any situation it should appear that this Section is not being complied with, the matter should be referred to the Petroleum Administrative Board.

I trust that I can count on your cooperation.

Sincerely yours,

Harold L. Ickes

Administrator of the Petroleum Industry.

5678 DEFENSE EXHIBIT NO. 892 For Identification.

5679 Planning And Coordination Committee For The
Petroleum Industry
Washington, D. C.

July 31, 1934.

Memorandum For Mr. Arnott:

Referring to the letter written to you by the Administrator of the Petroleum Industry, dated July 20, 1934, I beg to say that said letter is full and complete authority for the taking of necessary steps to restore markets in any locality to their normal condition. I have also considered this letter in connection with the Anti-Trust laws and my opinion thereon is as follows:

Paragraph (a) of Section 4 of Title 1 of the National Industrial Recovery Act provides that the President is authorized to approve voluntary agreements between persons engaged in any industry, if in his judgment (a) such agreements will aid in effectuating the policy of the National Industrial Recovery Act; (b) are not designed to promote monopolies or to eliminate or suppress small enterprises and will not operate to discriminate against small enterprises.

Section 5 of Title 1 of the Act provides that while Title 1 is in effect and for sixty days thereafter any agreement approved by the President and any action complying with the provisions of such agreement shall be exempt from the provisions of the Anti-Trust laws of the United States.

5680 From these provisions of the state, it is evident that if the President should approve any agreement for the stabilization of prices that such approval by the President would be a complete protection against any charge that the Anti-Trust laws had been violated by such agreement.

Under Paragraph (b) of Section 2 of Title 1 of the Act the President was authorized to delegate any of his functions and powers under Title 1 to such agents as he might designate. In accordance with this Section, the President did delegate his powers, in so far as the Petroleum Industry is concerned, to Mr. Ickes. Therefore, any action of Mr. Ickes with regard to such agreements within the Petroleum Industry is in effect the act of the President. So that, if an agreement to restore prices were made in any locality and such agreement should be approved by Mr. Ickes, such approval would be a complete protection to all persons participating in the agreement from any prosecution under the Anti-Trust Laws. However, the letter which Mr. Ickes has written is not precisely an approval of any agreement. It is a direction to you, as Chairman of the Marketing

Committee, to take action to restore markets to their normal conditions in areas where such markets are depressed. You are also authorized to designate committees for each locality where price wars have developed and "in a cooperative manner to stabilize the price level to conform to that normally prevailing in contiguous areas where marketing conditions are similar." You and your committees appointed by you are thus authorized to stabilize the price level "in a cooperative manner".

5681 The word "cooperative" means to operate jointly or together, so there can be no question that this is authority for making, in any locality where prices are depressed below normal, an agreement which will restore such prices to a normal level. The only condition attached to this is found in the last sentence of the last paragraph of the letter, which provides that any action of any committee appointed by you must be consistent with Clause 2 of Sub-section (a) of Section 3 of Title 1 of the National Industrial Recovery Act. The clause referred to refers particularly to codes of fair competition, and it provides that the President may approve codes when he finds (a) that they are not designed to promote monopolies; (b) that they are not designed to eliminate or oppress small enterprises; (c) that they will not operate to discriminate against small enterprises; (d) that they will tend to effectuate the policy of Title I of the Act; (2) that they shall not permit monopolies or monopolistic practices.

It is clear that no committee appointed by you would even consider an agreement which would have any of the objectionable features provided in this Section. On the contrary, the duty of the committee is to restore prices to a normal level. Restoring prices to a normal level must necessarily aid small enterprises rather than oppress them. It must necessarily have a tendency to check monopolies rather than to promote or permit monopolies.

5682 My conclusion is that this letter from the Petroleum Administrator is for all practical purposes a complete protection to you and your committees to engage in all reasonable activities to restore prices to normal levels.

I further conclude that the agent of the President having solicited the taking of action to stabilize prices, that it is unthinkable that there could ever be any persecution or criticism by the Government for doing the very thing which the President's agent had asked you to do.

Respectfully submitted,

Louis Titus

5683 **DEFENSE EXHIBIT NO. 893.**

(Certified by the Department of the Interior to be copy of document on file in that Department.)

Telegram

Minneapolis, Minn.
Jan. 28

Charles Fahy
Petroleum Administrator Board Wash. D. C.

In my opinion the industry has a wonderful opportunity within its grasp at this time for stability if they will only accept it stop We have really done a good job in stabilizing retail markets in Standard of Indiana territory but this condition is not going to continue unless a supreme effort is made to get the tank car price of gasoline up to a comparable basis with the crude structure stop It seems inconceivable to me that we cannot accomplish this objective if the proper efforts were made stop. Mr. Arnott as chief stabilizer appointed a committee for this purpose about three weeks ago but because of a recent court decision in East Texas we have never met to discuss the situation stop We are either supine or incompetent because every time something comes up about East Texas we crawl to cover instead of endeavoring to map out a definite plan of constructiveness stop I do not know what you can do about it because if we cannot help ourselves I am sure no one else can am wiring you merely to get it off my chest stop What I want to bring out is the necessity for action in getting tank car prices up before it is too late stop I understand that unless some action is taken to get tank car prices up shortly an organized effort will be made to get them down as low as possible so that a general breakdown will occur in service station prices this of course will mean chaos this for your information stop Regards

I. A. O'Shaughnessy

5684 DEFENSE EXHIBIT NO. 894.

(Certified by the Department of the Interior to be copy of duplicate original of a letter dated February 1, 1935, signed by Charles Fahy, and sent to I. A. O'Shaughnessy.)

Letterhead of Department of the Interior, Petroleum Administrative Board, Washington, D. C.

February 1, 1935

Mr. I. A. O'Shaughnessy
c/o Globe Oil & Refining Co.,
Minneapolis, Minnesota

My dear Mr. O'Shaughnessy:

I received your telegram of January 28 and was glad to hear from you again. I am sure you know that the tank car situation in relation to the price of crude is one about which we have no disagreement. How to bring about a correction is the stumbling block. I may say, however, that I see nothing in the recent Supreme Court decision which in any way affects endeavors to reach the solution. We are hoping soon for a report from the Special Committee which the Secretary appointed to look into this kind of thing and make recommendations. I really believe we are going to have some definite suggestions from them which will carry weight. In the meantime, we are considering your suggestions and would like to have any further suggestions you can give us.

Yours sincerely,
Charles Fahy
Chairman.

CF:CVH:BWR

5685 DEFENSE EXHIBIT NO. 895.

5686 Stipulation

It is stipulated that L. B. Simmons, President of Rock Island Refining Company of Duncan, Oklahoma, if called as a witness in the above entitled action, would testify that the quantities of gasoline manufactured and sold by Rock Island Refining Company, by months, from January 1, 1934, to December 31, 1936, inclusive, as reflected by the books and records of Rock Island Refining Company, are as set forth in Exhibit "A" hereto annexed; and

It is stipulated that the crude capacity of the Rock Island Refinery for the years 1934-1936, inclusive, was 5,333 barrels daily.

5687 **Exhibit A.**

Rock Island Refining Company

1934	Gasoline Production (In Gallons)	Gasoline Sales
January	2,976,549	3,479,859
February	2,229,204	2,117,692
March	2,509,431	2,848,116
April	2,890,183	3,702,482
May	3,725,707	3,909,099
June	3,311,813	3,874,858
July	3,704,507	3,990,239
August	3,014,513	3,705,883
September	2,861,133	3,285,549
October	3,437,760	3,880,324
November	2,776,762	3,322,239
December	2,939,183	2,769,260
Total 1934	36,367,745	40,885,600
1935		
January	2,493,326	2,977,855
February	2,864,724	3,746,003
March	3,289,364	4,255,583
April	2,880,905	4,111,955
May	2,700,093	3,455,596
June	3,386,860	2,973,056
July	3,328,459	3,645,403
August	3,170,097	4,164,663
September	3,243,891	3,525,406
October	3,169,325	3,826,278
November	3,122,123	3,399,770
December	3,239,933	2,858,603
Total 1935	36,889,100	42,940,171
1936		
January	2,372,211	3,178,831
February	2,575,010	2,507,852
March	2,818,597	3,501,552
April	3,079,882	3,440,346
May	3,025,586	3,335,319
June	2,948,677	3,902,956
July	3,173,797	4,034,442
August	3,292,719	4,518,258
September	3,374,525	4,000,882
October	3,314,469	3,842,946
November	2,931,892	3,317,504
December	3,085,943	3,631,642
Total 1936	35,993,308	43,212,530

5688 **DEFENSE EXHIBIT NO. 896.**

5689 Sunray Oil Company
Tulsa, Oklahoma

1934	Gasoline Production (In Gallons)	Gasoline Sales
January	784,153	1,009,089
February	765,410	733,437
March	758,971	926,450
April	819,843	840,014
May	799,131	776,425
June	435,344	436,391
July	683,422	686,719
August	1,145,774	917,370
September	1,552,362	1,272,067
October	970,347	1,394,651
November	1,409,214	1,486,987
December	1,471,750	1,307,590
Total 1934	11,595,721	11,787,190
1935		
January	1,442,716	1,472,438
February	1,185,969	1,387,566
March	1,589,032	1,502,879
April	1,443,060	1,406,781
May	1,580,887	1,624,328
June	1,755,798	1,704,023
July	1,922,739	1,912,133
August	2,015,592	2,010,875
September	1,920,443	1,843,101
October	2,003,025	2,088,454
November	1,780,016	1,773,569
December	2,040,436	1,774,397
Total 1935	20,679,713	20,500,544
1936		
January	1,814,476	1,478,486
February	1,641,522	1,295,136
March	2,233,520	2,203,410
April	1,955,068	2,357,322
May	1,949,583	2,192,563
June	2,653,103	2,398,399
July	2,156,411	2,444,630
August	2,002,987	2,172,443
September	1,948,617	2,047,055
October	2,164,037	2,170,646
November	2,173,914	1,893,453
December	2,159,458	2,368,732
Total 1936	1,852,696	25,022,275

5690 **DEFENSE EXHIBIT NO. 898.**

5691 **El Dorado Refining Company**
El Dorado, Kansas

1934	Gasoline Production (In Barrels)	Gasoline Sales
January	55,231	82,268
February	66,570	57,360
March	51,696	68,509
April	70,128	71,355
May	79,192	80,395
June	78,365	92,398
July	83,429	90,363
August	78,811	80,755
September	84,627	79,492
October	80,256	85,231
November	69,302	69,061
December	62,247	57,655
Total 1934	859,854	914,842
1935		
January	72,899	55,055
February	48,801	53,361
March	59,970	69,362
April	61,625	69,955
May	89,777	68,962
June	76,310	90,221
July	99,512	100,844
August	89,284	87,325
September	81,999	84,688
October	82,533	75,649
November	78,200	62,085
December	62,122	58,528
Total 1935	903,032	876,035
1936		
January	76,557	62,846
February	51,078	42,719
March	68,150	75,429
April	78,075	83,326
May	64,787	94,070
June	99,165	104,759
July	103,450	91,267
August	81,895	85,103
September	93,150	89,672
October	74,469	83,585
November	75,952	69,760
December	71,106	66,134
Total 1936	937,834	948,670

5692 **DEFENSE EXHIBIT NO. 899.**

Article from Tulsa Daily World for May 28, 1935.

Oil Industry Upset as NRA is Killed

Recovery Act Ruled Invalid, Administration Bows to High Court With Appeal to Nation

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All Measures for Compulsory Enforcement Are Abandoned

Supreme Court's Opinion Emphatic

President Given Illegal Powers, Congress Overstepped Rights

Labor is Disappointed

Strike Threat Is Immediate Reaction; Richberg Moves to Avert Strife

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Washington, May 27 (AP) The administration bowed tonight before a supreme court ruling that reduced the NRA to a scrap of paper, announcing that all measures for compulsory enforcement of codes had been abandoned, but pleading for a continued code observance.

Apparently fearful of a return to unbridled competitive conditions, following a unanimous verdict of unconstitutionality from the high court, Donald Richberg, NRA head,

discussed future steps with President Roosevelt and decided upon the two actions.

5693 On two specific counts the court found the sections of the national industrial recovery act unconstitutional. It held that the congress had illegally delegated its own powers to the president in authorizing him to approve and promulgate the codes.

It ruled that congress may not reach into a community and tell a poultry dealer whose business only indirectly affects interstate commerce how much he shall pay his help and what the latter's working hours shall be.

Pleads for Codes.

In his statement, issued after the White House conference, Richberg said:

"It would be most harmful to the general welfare if unfair competitive practices, universally recognized as such, were to be revived, and if the fair standards affecting labor were to be disregarded.

"Therefore, pending the determination of this question (of what shall be done) I hope that all employers heretofore operating under approved codes and all their employes will co-operate in maintaining those standards of fair competition in commercial and labor relations which have been written into the codes with practically universal sanction, and which represent a united effort to eliminate dishonest, fraudulent trade practices and unfair competition in over-working and under-paying labor.

Bow to High Court.

"The decision," he said, "makes all codes of fair competition unenforceable as a matter of law; and in deference to that ruling all methods of compulsory enforcement of the codes will be immediately suspended."

(Comments on the general effect of the decision are not printed.)

5694 **DEFENSE EXHIBIT NO. 900.**

Article from Tulsa Daily World for May 29, 1935.

Scrapping of NRA Followed by Price Slashing, Threat of Nationwide Coal Strike

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Oil Legislation Is Now Uncertain as All Sides Ponder

Thomas' Measure Wavers as Result

Legal Opinion Forecasts Gloomy End for Oklahoman's Efforts

Plea to Industry

Fahy Cites All Advantages Gained Since Oil Code Was Introduced

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By Bascom N. Timmons
World's Washington Correspondent.

Washington, May 28.—Doubt that any legislation designed to extend federal control to crude petroleum could be sustained in the courts in view of the decision upon the national recovery act by the United States supreme court was expressed today as the oil industry passed its first day in nearly two years free from any federal government regulation.

Though Charles Fahy, chairman of the petroleum administrative board, in the absence of Oil Administrator Harold Ickes, insisted that the decision would not affect the pending Thomas control bill, legal opinion gen-
5695 erally was that the decision precludes federal control of crude production. This opinion was privately held by many oil men, who did not wish to be quoted pending a further study of the opinion.

'For' and 'Against.'

Senator Tom Connally of Texas, author of the hot oil bill, but cool to efforts of Secretary Ickes to secure enactment of the Thomas measure, flatly declared:

"The decision of the supreme court in the NRA case is sweeping and all-bracing. The decision of the court is also applicable to federal regulation of oil. In my view the pending Thomas oil bill comes within the sweeping ban of the court's opinion. Under the unanimous holding it is clear that the federal government has no power under the commerce clause to regulate the production of oil, which is an intrastate operation."

Fahy, who was formerly assistant solicitor of the interior department and aided in drafting the Thomas bill, said: "I don't think that the decision can be or does apply to the Thomas bill."

Production Regulation Lifted.

Fahy issued a plea to the industry as a whole to voluntary subscribe to the provisions of the oil code for the time being, at least. He said that the industry has registered large gains during the operation of the code and "as much of the gain as possible should be maintained by voluntary action until there is new legislation."

Suspension of the NRA codes by President Roosevelt because of the decision not only removed the regular NRA labor and trade practice agreements from the oil industry, but lifted production regulations as well.

What the effect upon the crude petroleum end of the industry will be could not be determined as yet. When the code was placed into effect nearly two years ago, crude oil was selling for as low as 27 cents a barrel. It soon rose to one dollar, and has remained there during the operation of the code.

5696 State Laws.

The only legal control over production today is that of state laws of Texas, Oklahoma and Kansas. In California there exists a voluntary proration agreement and similar agreement is working in Louisiana.

The Connally act, however, prohibiting the interstate shipment from the three states which have statutory pro-

ration of crude petroleum and its products produced in excess of state orders, continuous operative since it was not included, when re-enacted, in the national recovery act.

Orders to immediately stop any enforcement of the provisions of the oil code under the charge of the planning and co-ordination committee for the petroleum industry were sent to regional committees this morning by J. D. Collett, of Fort Worth, chairman of the planning committee.

Collett informed the committee to stop all operations and activities at once, pending further word from here. He told the chairman, however, not to disband the committees and other personnel, but to keep them intact for the time being.

PAB in Halt.

Fahy said that the PAB, the petroleum labor policy board, and all other activities of the oil administration under the code will stop at once. The administration will remain intact until June 16, but will then be disbanded. The federal tender board in east Texas will continue, since it is operating under the Connally hot oil act.

Meanwhile, the drive for special legislation giving the federal government control over the production end of the oil industry was renewed. Seizing upon the opportunity, sponsors of the proposed legislation at once declared that action is imperative if the price of crude oil is to be kept up.

A meeting of oil associations which helped draft the original code, called last week by Wirt Franklin, president of the Independent Petroleum Association of America, before it had been learned that the NRA would be
5697 held unconstitutional, turned its attention from NRA and other legislation scheduled to be discussed, and began the drive for federal control.

Most Important Move.

Approximately 50 oil men, for the most part representatives of independents and smaller companies were present when the meeting started. Absent were officials of the major companies and almost all who have opposed the Thomas bill or similar legislation.

Russell Brown, secretary of the association, who took

charge in the absence of Franklin, who is ill, frankly told the group that enactment of the production control measure is now the most important move facing the oil industry.

He was joined by Representative Dempsey, Democrat, of New Mexico, who spoke briefly in support of control legislation. Dempsey declared that the price of crude will unquestionably drop unless legislation is promptly enacted. He assured those present that he would aid in every way possible to push necessary measures through congress.

"I am confident that congress has the authority to control the oil industry, and should exert it," he declared. "If we are without power to regulate the oil industry, we cannot control any industry."

5698 **DEFENSE EXHIBIT NO. 901.**

Article from The Tulsa Tribune for May 31, 1935.

Ruling Limits Federal Power President Says

One Clause of Constitution Is Taken Back to Horse and Buggy Days

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Is a Non-Partisan Issue

People Must Decide if They Want to Relegate All Control to States

Washington, May 31.—(UP)—The NRA decision by the supreme court deprived the national government of control over national social and economic conditions and relegated the interstate commerce clause of the constitution back to the horse and buggy days, President Roosevelt said today.

Speaking steadily for an hour to 200 newspapermen, the president said the decision was the most important handed down by the court since the famous Dred Scott decision of pre-Civil war days.

Of the philosophy expressed in the court's ruling, the president expressed a belief it would outlaw the securities and exchange commission, the AAA as well as other legislation designed to keep apace with the demands of the times.

The implication of the decision, if carried to the logical conclusion, will strip the United States government of many of its powers, the president said.

5699 **People Must Decide.**

Mr. Roosevelt, in measured words, said the nation was facing a very great national and non-partisan issue, and the people must decide within the next five or 10 years if they want to relegate to the 48 states all control of state and national economic and social conditions re-

gardless of the effect of the rulings of one state against another, or restore to the federal government the powers which are vested in national governments of every other nation—the right to legislate or administer laws that have bearing on or control over national economic problems or national social problems.

This issue, Mr. Roosevelt warned, must be decided.

(Comments on the general implications of the court's decision are not printed.)

The president turned to the question of voluntary code adherence. He expressed hope that all industry would live up to them, but pointed out that there was danger of the chisler driving the rest to the point where they would have to cut wages and lengthen hours to survive.

(Comments by Mr. Roosevelt on the general implications of the decision and on Federal control of alcohol, securities and crops are not printed.)

Further Reports Waited.

Further reports from strategic points throughout the country, together with analyses of the situation from code authorities which have been in direct contact with American business and industry through the period of uncertainty which followed Monday's decision, were desired before any plan for carrying on under the Blue Eagle could be definitely drawn.

The NRA administration board conferred for two hours Thursday with the president. Later Donald R. Richberg, chairman discussed the situation in general terms.

5700 The board, he said, had been "taking part in the thinking", being done by the administration.

Several courses could be taken to continue some form of government regulation and co-ordination of business, he said.

He believed that new legislation could be written, containing definite standards of competition and avoiding the delegation of power so vigorously criticized by the supreme court.

It appeared certain the administration was willing, for the time being at least, to relinquish any efforts to regulate intrastate industry or business.

Richberg revealed NRA has been moving in that direction for months, with the intention eventually to eliminate any control over business or industry conducted plainly within the borders of any state.